

Exhibit 15

JEREMY ZIELINSKI #16A3601
Woodbourne Correctional Facility
99 Prison Road, P.O. Box 1000
Woodbourne, NY 12708-1000

Ben Schatz, Esq.
Supervising Attorney
Center for Appellate Litigation
120 Wall Street, 28th Floor
New York, NY 10005

Re: Eclipse action

March 26, 2024

Dear Ben:

Enclosed are caption-corrected declarations of Bruce Moses and Oscar Nunez. Moses' attachments are P0028-30, Nunez's is P0032 (he got no written answer).

Best,


Jeremy Zielinski

Enclosures

cc: file

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMY ZIELINSKI, on behalf of himself
and all others similarly situated,

Plaintiff,

Declaration of Bruce Moses

Case No. _____

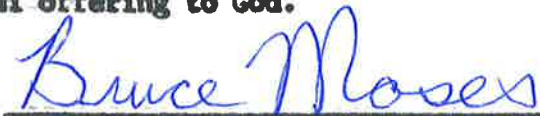
v.

DANIEL MARTUSCELLO, et al., Defendants.

I, Bruce Moses, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am a follower of the Santeria religion and have been my whole life.
2. On March 14, 2024 I asked the Superintendent and Deputy Superintendent for Programs of Woodbourne Correctional Facility for permission to watch the April 8, 2024 solar eclipse which will be happening. I explained in my request that it is very important in Santeria to witness this event of a lifetime, to see GOD who is the sun and wakes everyone in the morning, and to make a spiritual offering. A copy of my request is attached.
3. On the same day March 14, DSP Glebocki denied my request, saying that the "NYSDOCCS Religious Holy Day Calendar 2024 does not note the viewing of the Solar Eclipse as one of the Santeria Religious Events, as such your request has been denied." I do not understand why a calendar made by DOCCS, who is not able to say what is and is not holy to me or in Santeria, matters. I am aware that the Plaintiff has received approval but DOCCS did not offer me the same right to me as a follower of Santeria. I would like the Court to make DOCCS allow me to see the eclipse so I can make a spiritual offering to God.

Executed on March 25, 2024
at Woodbourne, New York.



Bruce Moses #18A2398
Woodbourne Correctional Facility
99 Prison Road, P.O. Box 1000
Woodbourne, NY 12788-1000

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMY ZIELINSKI, on behalf of himself
and all others similarly situated,

Plaintiff,

Declaration of Oscar Nunez

Case No. _____

v.

DANIEL MARTUSCELLO, et al., Defendants.

I, Oscar Nunez, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am a Senior member of the Santeria community at Woodbourne Correctional Facility.

2. On March 14, 2024 I requested that the Superintendent of Woodbourne allow me to view the April 8, 2024 solar eclipse. As I explained in my request, a copy of which is attached, this is an opportunity to partake in a rare religious experience that will bring blessings and help me reach my religious goals. Members of the Ile (home) pray and chant to Ochu (the Moon) and Orun (the Sun) for blessings. When they meet in the eclipse this allows the vibrations of the Orishas to bless those who pray and chant.

3. DOCCS, however, refuses to allow me to attend because they say the viewing of the eclipse is not on the "NYSDOCCS Religious Holy Day Calendar 2024." I understand the Plaintiff in this case is asking this Court to allow individuals such as myself to be allowed to view the eclipse with him, as he has been approved. I ask that the court order DOCCS to stop denying me permission to partake in this event as it is a part of my Santeria beliefs as explained above. Thank you.

Executed on March 25, 2024
at Woodbourne, New York.



Oscar Nunez, DIN 17A0542
Woodbourne Correctional Facility
99 Prison Road, P.O. Box 1000
Woodbourne, NY 12788-1000

JEREMY ZIELINSKI #16A3601
Woodbourne Correctional Facility
99 Prison Road, P.O. Box 1000
Woodbourne, NY 12788-1000

Ben Schatz, Esq.
Supervising Attorney
Center for Appellate Litigation
120 Wall Street, 28th Floor
New York, NY 10005

Re: Eclipse action

March 25, 2024

Dear Ben,

Enclosed is the declaration of Richard Youmans with annexed exhibit 1. The English language lacks words to properly express my gratitude :)

Best,


Jeremy Zielinski

PS: I realized the declarations of Bruce Moses and Oscar Nunez have the caption from my WDN case, which raises a claim for denial of Atheism-compatible diet against the family food packages ban. I considered trying to Macgyver the Eclipse claims into that case as an emergency supplemental complaint. A&B can recaption to use in the SDNY without change. I'll have corrected ones re-done tomorrow and mail them out too.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMY ZIELINSKI, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

DANIEL MARTUSCELLO, et al.,

Defendants.

Declaration of Richard Youmans

Case No. _____

I, Richard Youmans, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am incarcerated at Woodbourne Correctional Facility and a sincere believer in and follower of the Shetaut Neter faith. I make this declaration in support of the claims in this case that the NYS Department of Corrections and Community Supervision is violating the religious freedom rights of people, including myself and other people who follow Shetaut Neter, to watch the total solar eclipse that will happen on April 8, 2024.

2. I am the facilitator for the Shetaut Neter faith at Woodbourne, and in that role I help people to understand and practice our religion correctly. Our faith includes, among other things, the belief that Ra is the god of the Sun and Hetheru is the goddess of the moon. When these two powerful beings align in an eclipse it allows us to make progress toward personal enlightenment.

3. To practice my own religion and help others who share these beliefs I asked Woodbourne CP DSP D. Glebocki in person and in writing to allow us to see the April 8 eclipse. A copy of my written request is attached. To this date the request has not been granted and I understand DOCCS plans a lockdown for the date and time of the eclipse.

4. If DOCCS does not allow observing the eclipse on April 8, it will be a

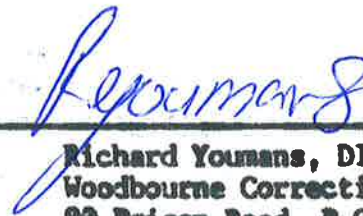
loss of a very rare and important religious opportunity and I do not feel there is any need for DOCCS to do this. The memorandum issued by Daniel Martuscello claims the reason is that the eclipse will cause darkness, which is true, but we have outdoor recreation every night until about 9:30PM, and it's dark during this time as well. Woodbourne, like DOCCS's other facilities, turns on the lights and everything proceeds normally. Turning the lights on will not take anything away from seeing the eclipse because the sun will be high in the sky so we will still be able to see it clearly.

5. I understand also that DOCCS says it will be handing out solar eclipse safety glasses to the population. We are all adults and understand to not look at the sun without the glasses, so there seems to be no need to lock anyone in during this Sema Tawi (joining) of Ra and Hetheru.

6. I therefore ask that the court order DOCCS to cancel its planned lockdown and instead allow people like myself with sincere religious beliefs to watch this eclipse.

Executed on March 25, 2024

at Woodbourne, New York.



Richard Youmans, DIN 12A4208
Woodbourne Correctional Facility
99 Prison Road, P.O. Box 1000
Woodbourne, NY 12788-1000

**THE NEW YORK STATE DEPARTMENT OF
CORRECTIONS AND COMMUNITY SUPERVISION
WOODBOURNE CORRECTIONAL FACILITY**

To: Ms. Danielle Glebocki, DSP

From: Mr. Richard Youmans #12A4208

Date: March 18th, 2024

Re: Request for Shetaut Neter to participate in the viewing of the solar eclipse

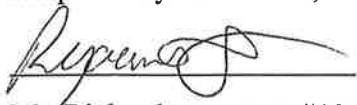
Dear: Ms. Glebocki,

I am writing you on behalf of Shetaut Neter religious group to respectfully request to participate in the Solar eclipse viewing. The solar eclipse plays an important part in our religious belief system, the sun in our belief system is represented by (**Ra**: the god of the Sun) And the moon is represented by (Hetheru: the goddess of the Moon) when the two are joined , **Sema Tawi** : (which means the joining of (2) two). **Akhu** – enlightenment of self is obtained. The joining of Ra & Hetheru (Solar Eclipse) isn't a everyday experience, it is not listed on the Holy day calender for Shetaut Neter , because the Shetaut Neter religion doesn't have a religious Chaplin in central office. To keep DOCCS in accordance with our spiritual Rituals & practices so our religious rights would not be infringed upon ,under to first amendment. We are a small group and wish to partake in the viewing of the joining of Ra & Hetheru (Solar Eclipse).

It is a discovery of the eternal essence within you which transcends the temporal, mortal part of you. It can only be attained by profound meditation on the source of your being, through deep philosophical understanding and through control of the mind and senses which allows you to go beyond the awarence of your mind and body. This is the purpose of mystical philosophy and yoga meditation techniques. They allow you to first understand intellectually the mystical nature of your true being. This allows you to calm the mind and cleanse it from the complexes and erroneous notions which lead to negative experiences in life. Then the practice of meditation allows you to actually experience that transcendental nature within yourself until you become established in this nature. This attainment is called,..... **Enlightenment**.

Thank you for your time and consideration in this matter !

Respectfully Submitted,



Mr. Richard Youmans #12A4208
Temple Shetaut Neter Facilitator

Declaration of Richard Youmans - Exhibit 1

Xc: Temple Shetaut Neter FILE

JEREMY ZIELINSKI #16A3601
Woodbourne Correctional Facility
99 Prison Road, P.O. Box 1000
Woodbourne, NY 12788-1000

Ben Schatz, Esq.
Supervising Attorney
Center for Appellate Litigation
120 Wall Street, 28th Floor
New York, NY 10005

Re: Eclipse action exhibits

March 19, 2024

Dear Ben,

Enclosed are the exhibits for the eclipse action. Note that what was supposed to be Exhibit 11 got stuck to Exhibit 10, so the sequence at that point is 10, 10A, 11 as I had to manually correct it.

As an aside, in the course of doing the research for this I discovered a lot so your help in making an intro is very much appreciated!

Thank you!



Jeremy Zielinski

Enclosures

cc: file


PS: I wasn't able yet to get a copy of the 2024 "Religious Holy Day Calendar" but to my knowledge the only difference is the dates (e.g. Ramadan starts on a different date). Feel free to swap Ex 39-43 if they can get the 2024 one from DOCCS. It's probably on their website.

To: DSP Glebocki, Woodbourne CF
Fr: J. ZIELINSKI 16A3501 B2-22
Re: April 8, 2024 total solar eclipse
Date: January 28, 2024

As you know I'm an Atheist. I'm writing to let you know (well in advance) that on Monday, April 8, 2024 the path of totality of a solar eclipse will pass through New York and be visible from Woodbourne. This is a major religious event for Atheism and, as in past eclipses, Atheists throughout the United States will be gathering to celebrate science, reason, and all things Atheism. I will need on April 8, from about 2:00PM to 4:40PM, an unobstructed outdoor view of the sun to observe the eclipse. The big yard will work. I'll also need to be able to receive a pair of eclipse-viewing glasses in a package; they're basically cardboard sunglasses with lenses made of a special film that protects the eyes for direct observation of the sun, and can be returned after the eclipse ends. I've enclosed a copy of the American Atheists website for the eclipse that happened in 2017, and as it becomes available will provide a copy of confirming paperwork for the April 8, 2024 eclipse.

Please let me know what paperwork, if any, is needed to properly schedule this as a religious event. If you have any questions I'm available at your convenience.

Thanks in advance!


J. ZIELINSKI

cc: file




Corrections and Community Supervision

KATHY HOCHUL
Governor

DANIEL F. MARTUSCELLO III
Acting Commissioner

TO: J. Zielinski 16A3601 B-2-22

FROM: D. Glebocki, Deputy Superintendent for Program Services 

SUBJECT: Atheist Event Request

DATE: January 30, 2024

This memo is in response to your January 30, 2024, letter requesting an Atheist Event.

In accordance with Directive # 4202, this request requires a request to practice a new religion. (Refer to page 1 paragraph III of the above listed directive, which states the following:

"Due to the large number of unfamiliar faith groups in the community, any incarcerated individual who wishes to practice one of these religions/ faiths will be required to make an official request by using form 4202E, "Request for New Religion." The form must be completed in its entirety and submitted to the Coordinating Chaplain. The Chaplain will keep a copy on file and forward the original to the Director of MFVS. The Director's determination will be returned to the Coordinating Chaplain with a copy to the Deputy Superintendent for Program Services (DSP)."

I have enclosed Form 4202E for your review and to utilize. As directed above, once you complete form 4202E, send directly to Father Ndulaka to begin the process.

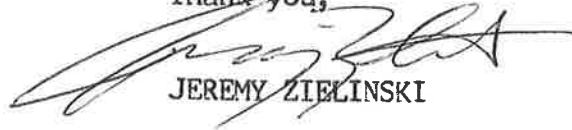
Cc. Father Ndulaka, Coordinating Chaplain
File

To: DSP Glebocki, Woodbourne CF
From: J. ZIELINSKI 16A3601 B2-22
Re: Atheist Event Request (April 8, 2024 eclipse)
Date: February 19, 2024

=====

Enclosed for your review is a copy of the Form 4202E I've submitted to Father Ndulaka. As we've discussed, please expedite this request as the upcoming eclipse is an event of major religious significance for Atheists and the next one will not be visible from the United States until 2044. If you have any questions I'm available at your convenience.

Thank you,



JEREMY ZIELINSKI

Enclosure

cc: file

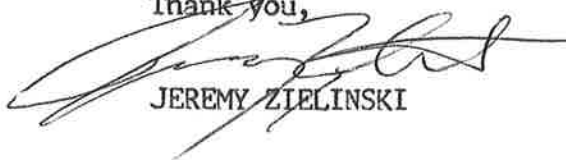
To: Father Ndulaka, Coordinating Chaplain, Woodbourne CF
From: J. ZIELINSKI 16A3601 B2-22
Re: Atheist Event Request
Date: February 19, 2024

=====

Enclosed per DSP Glebocki's instructions is a Form 4202E, "Request for New Religion." I've written to and discussed with DSP Glebocki that it's essential that this request be processed expeditiously, as there is a total solar eclipse approaching only 7 weeks from now on April 8, 2024. The next such eclipse visible from the United States will not be until 2044. DSP Glebocki said this form is necessary to allow me to observe the eclipse as a religious event and she has my additional correspondence on this subject. I'm not at this time requesting any other "recognition" from DOCCS, so aside from the eclipse viewing the rest of the request can be given ordinary processing.

I've enclosed in support a copy of a printout from the American Atheists website for the 2017 eclipse confirming that such rare astronomical phenomena have major religious significance for Atheists. If you have any questions I'm available at your convenience.

Thank you,



JEREMY ZIELINSKI

Enclosures

cc: file

Form 4202E (04/23)
 Reproduce Locally As Needed

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
REQUEST FOR NEW RELIGION

Incarcerated individuals requesting the introduction of a new religion must provide a comprehensive description of the religion using this form. Supplemental material may be attached. Please do not send originals as we will not photocopy and return materials. Because of the necessary level of review, the process may require up to 120 days for completion.

Name of Religion: Atheism

1.	Theology and History:
	<p>A. Basic History (When was this religion established? Who established this religion?)</p> <p>The origins of Atheism are lost to history but it's existed for at least thousands of years, stretching back to those who denied the divinity of the ancient pharaohs, and later the Greek, Roman, Muslim and Christian gods' existence</p>
	<p>B. Theology Atheism in principle is a religious devotion to asking and answering all questions, including conventional "ultimate questions" (the nature and origins of reality, how to discover truth, the proper basis and content of moral codes, etc.) by only reason and rational inquiry. All knowledge should be freely shared with those who will responsibly use it for good.</p>
2.	Religious Practices:
	<p>A. Individual Continuous study (formal and informal) and practice of new knowledge and hypothesis testing, humbly by submission of proposals and ideas to evidence-based experiment and review by qualified peers.</p>
	<p>B. Congregate Discussion of scientific achievements and study of reason, logic, other religious belief systems, ways of finding error and improvements in moral living, celebration and recognition of the value of diversity and uniqueness, protection of life in all forms, etc.</p>
	<p>C. Religious Holy Days (include ceremonial food, rituals, etc.) Eclipses (solar and lunar) and other major astronomical events should be observed when within the person's capacity, so as to celebrate and test accuracy of predictions of temporally and spatially distant phenomena/other major scientific achievements</p>
3.	Religious Items:
	<p>A. Personal Religious Items Books and magazines needed for study, pens/paper, calculators and other accessories ordinary in a given field of study, music to assist and encourage personal improvement consistent with proper living.</p>
	<p>B. Congregate Religious Items Same as for individuals but in sufficient quantity for borrowing and return for personal use by people who cannot afford or otherwise cannot obtain their own, to ensure knowledge is freely shareable</p>
4.	Prohibitions (Medical, Non-medical):
	<p>Do not do evil acts or support/reward/encourage evil acts or omissions by anyone else, whether as individuals or groups regardless of motives; do not avoid self-evaluation or recognition of personal flaws or errors in beliefs</p>
5.	Dietary Standards:
	<p>Fresh fruits and vegetables daily produced and sourced ethically and other healthy food to preserve physical and mental health as long as possible. Atheism does not recognize an afterlife so preserving life is paramount.</p>

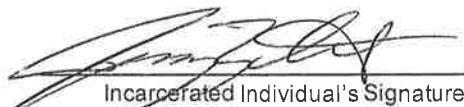
Form 4202E (04/23)
Reproduce Locally As Needed

NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
REQUEST FOR NEW RELIGION

6.	Burial Rituals:
	Burial should be natural so that the body can return to the Earth and be a part of the cycle of one life becoming the next. Funerals should be a celebration and remembrance of the person's life and help the survivors adapt to their absence.
7.	Literature:
	A. Sacred Writings Atheism doesn't have "sacred" writings in the conventional sense because truth/knowledge itself is revered, and what is recognized as truth/knowledge advances over time. Whatever recounts current knowledge of reality is thus "sacred"
	B. Periodicals Educational texts, journals, learning materials, scientific papers and discussions, etc. to the extent they reflect or aid in the search for truth/knowledge
	C. Resource Materials Books on Atheist history and practice, comparison of different religious belief systems, ethics, morality, social structures, economics, etc.
8.	Organizational Structure:
	A. Location of Headquarters n/a. Atheism is non-hierarchical and egalitarian
	B. Minister of Record n/a. Atheism seeks truth from all sources without regard to insignificant titles and position in an organization
	C. Contact Office/Person n/a. Atheism is not "controlled" by any person or group

Submitted by: JEREMY ZIELINSKI
Incarcerated Individual's Name (Printed)

16A3601
DIN


Incarcerated Individual's Signature

Woodbourne
Correctional Facility

Reviewed by Chaplain: _____
Print Name

Date

Chaplain's Signature: _____

Decision: _____
Director of Ministerial, Family and Volunteer Services

Date

Comments: _____

cc: DSP
Chaplain's Office



timeanddate.com

Eclipses in Plattsburgh, New York, USA

Max View in Plattsburgh



Monday, August 21, 2017
at 2:39 pm

Global Type: Total Solar Eclipse
Plattsburgh: Partial Solar Eclipse

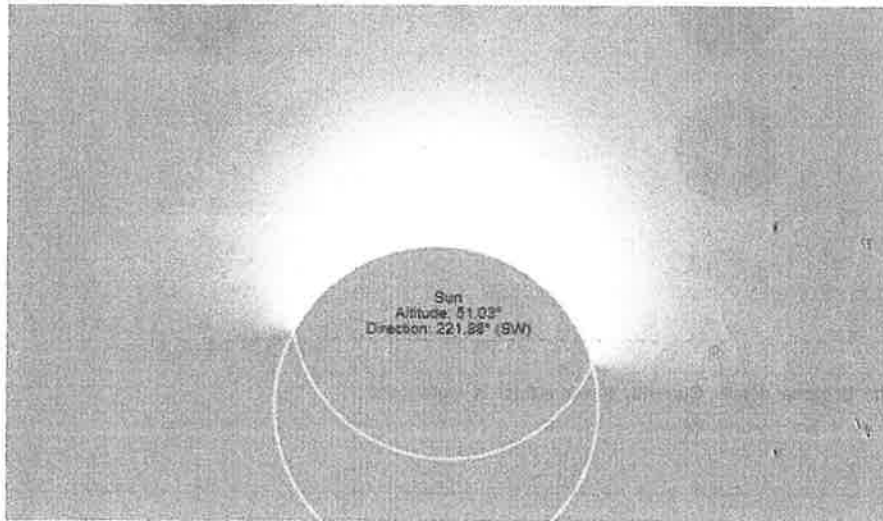
Begins: Mon, Aug 21, 2017 at 1:22 pm Countdown
Maximum: Mon, Aug 21, 2017 at 2:39 pm
Ends: Mon, Aug 21, 2017 at 3:52 pm

Duration: 2 hours, 30 minutes
Magnitude: 0.68

[Time/General](#)[Weather](#)[Time Zone](#)[DST Changes](#)[Sun & Moon](#)[Sun & Moon Today](#)[Sunrise & Sunset](#)[Moonrise & Moonset](#)[Moon Phases](#)[Eclipses](#)[Night Sky](#)

Upcoming Eclipse: August 7, 2017 — Partial Lunar Eclipse is not visible in Plattsburgh. See animation and where it can be seen ▶ ×

August 21, 2017 — Total Solar Eclipse — Plattsburgh



Solar Eclipses

1. When Is the Next Solar Eclipse?
2. Different Types of Eclipses
3. What Are Solar Eclipses?
4. How Often Do Solar Eclipses Occur?
5. Total Solar Eclipses
6. Partial Solar Eclipses
7. Annular Solar Eclipses
8. Hybrid Solar Eclipses
9. Solar Eclipses in History
10. Solar Eclipse Myths
11. Magnitude of Eclipses

[Eclipses ▶](#)

Animation: How the Partial Solar Eclipse Will Look

The total phase of this solar eclipse is not visible in Plattsburgh, but it can be observed there as a partial solar eclipse.

[More about the August 21, 2017 — Total Solar Eclipse ▶](#)

Phases and Local Times of this Eclipse



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2017 National Convention

Home > 2017 National Convention

Join us in North Charleston for the total solar eclipse and our National Convention!

Tickets are now on sale and hotels are filling up fast!

REGISTER TODAY!

We will present a conference focused on science, space, technology, and (of course) atheism featuring prominent academics, scientists, and community leaders during the weekend and, on Monday, will host an eclipse watch-party in North Charleston.

The Charleston area is the last major city in the path of the eclipse's path. This is the first total solar eclipse to cross the continental United States since the 1970s!

Come be a part of this amazing opportunity to see one of the rarest astronomical phenomena and hear from speakers you're not going to find anywhere else.

Schedule of Events

Speakers will be featured on Saturday and Sunday, August 19 & 20. As always, we will present a broad range of speakers representing the diversity and depth of our community. Speakers will cover a broad range of topics, but we will pay particular attention to the intersection of the sciences and atheism.

A full slate of speakers will be announced over the next year. A partial list of speakers is available [here](#).

On Monday, August 21, we will host an eclipse viewing party. The partial eclipse will begin at 1:15pm with totality occurring at approximately 2:45pm EDT.

Venue

The convention will be held at the North Charleston Marriott in North Charleston, South Carolina.

~~To book your room at the North Charleston Marriot with our special group rate of \$119 per night, please [click here](#).~~ UPDATE: The main convention hotel's room block has sold out. However, we have secured three (yes, three!) overflow hotels with special group rates and shuttles to get you between your hotel and the convention. More information is available [here](#).



2017 National Convention

- Purchase Tickets
 - Location & Hotel
 - Getting to the Convention
 - Schedule
 - Pricing
 - Exhibitors & Sponsors
 - Speakers
 - Code of Conduct
-

A

For almost 55 years, we have fought to protect the absolute separation of religion from government and elevate atheists and atheism in our nation's public and political discourse.

QUICK LINKS

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- News & Blog
- Frequently Asked Legal Questions
- Contact Us

OUR LATEST TWEETS

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EXPLAINER-What you need to know about the April total solar eclipse

Will DunhamReuters NewsJanuary 26, 202420240126202401261100002024012620240126110000Reuters
NewsEnglishKCDH0138998NewswireR:NR_UBMS4194Word Count: 692
WASHINGTON, Jan 26 (Reuters)

By Will Dunham

WASHINGTON, Jan 26 (Reuters) -

The moon will completely blot out the sun for millions of people in North America along a path crossing from Mexico into the United States and then Canada in a total solar eclipse occurring on April 8.

Here is an explanation of the solar eclipse and where it will be visible.

WHAT IS A TOTAL SOLAR ECLIPSE?

In a total solar eclipse, the moon passes between the sun and Earth, entirely covering the face of the sun along a small path of our planet's surface. This is called the "path of totality." The daytime sky turns dark, akin to dusk or dawn, and nocturnal animals have been known to wake up, confused into believing night has arrived.

In places along the path of totality, people will be able to view the sun's corona - the star's outer atmosphere - that typically is not visible because of solar brightness. People observing from outside the path of totality will see a partial eclipse in which the moon obscures most of the sun's face but not all of it.

Of course, a cloudy day could spoil the view. After this one, the next total solar eclipse viewable from the contiguous United States will not occur until 2044.

WHERE WILL IT BE VISIBLE AND WHAT IS ITS PATH?

According to NASA, the April 8 eclipse will begin over the South Pacific, with its path reaching Mexico's Pacific coast at around 11:07 a.m. Pacific Time before entering the United States in Texas.

Its path then takes it through Oklahoma, Arkansas, Missouri, a tiny piece of Tennessee, Illinois, Kentucky, Indiana, Ohio, a tiny piece of Michigan, Pennsylvania, New York, Vermont, New Hampshire and Maine.

The path then enters Canada in Ontario and journeys through Quebec, New Brunswick, Prince Edward Island and Cape Breton, exiting continental North America on the Atlantic coast of Newfoundland, Canada, at 5:16 p.m. Newfoundland Time. A partial eclipse is due to be visible for people in all 48 contiguous U.S. states.

HOW DOES THIS DIFFER FROM AN ANNULAR SOLAR ECLIPSE?

On Oct. 14, 2023, people along a path stretching from the U.S. Pacific Northwest, through Mexico, Central America, Colombia and Brazil witnessed an annular solar eclipse, a slightly different event. An annular solar eclipse occurs when the moon passes between the sun and Earth when the moon is at or near its farthest point from our planet. Thus, it does not completely cover the face of the sun, leaving what looks like a "ring of fire" in the sky.

HOW DO YOU SAFELY WATCH AN ECLIPSE?

Experts warn that it is unsafe to look directly at the bright sun without using specialized eye protection designed for solar viewing. Viewing an eclipse through a camera lens, binoculars or telescope without making use of a special-purpose solar filter can cause severe eye injury, according to these experts.

They advise using safe solar viewing glasses or a safe handheld solar viewer, noting that regular sunglasses are not safe for viewing the sun. The only moment it is considered safe for people to remove eye protection during a total solar eclipse is the brief time when the moon completely blocks the sun's surface.

HOW BIG ARE THE EARTH, MOON AND SUN?

The moon will cover the sun's face, as visible from Earth, only because the moon - in actuality much smaller than the sun - is so much closer to our planet. The moon's diameter is 2,159 miles (3,476 km), compared to the sun's diameter of about 865,000 miles (1.4 million km) and Earth's diameter of 7,918 miles (12,742 km).

HOW DO SOLAR ECLIPSES DIFFER FROM LUNAR ECLIPSES?

Lunar eclipses occur when Earth is positioned between the moon and the sun and our planet's shadow is cast upon the lunar surface. This leaves the moon looking dim from Earth, sometimes with a reddish color. Lunar eclipses are visible from half of Earth, a much wider area than solar eclipses.

EXPLAINER-What to know about October's 'ring of fire' solar eclipse [nL1N3AX1NX] Annular solar eclipse transfixes crowds across the Americas [nL1N3B0K02]

#####> (Reporting by Will Dunham in Washington, Editing by
Rosalba O'Brien) ((Will.Dunham@thomsonreuters.com;))

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SOLAR

ECLIPSE

EXPLAINER,

PIX

Eclipse

Solar eclipse

Eclipses

Magnitude of eclipse

Solar eclipse of April 8

a1312cat:w

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Corrections and Community Supervision

KATHY HOCHUL
Governor

DANIEL F. MARTUSCELLO III
Acting Commissioner

TO: J. Zielinski 16A3601 B-2-22

FROM: D. Glebocki, Deputy Superintendent for Program Services

A handwritten signature in black ink, appearing to be "D. Glebocki".

SUBJECT: April 8, 2024, Total Solar Eclipse Event

DATE: March 4, 2024

Per our recent conversation, your submitted documentation for a request for a new religion (Atheism) which included your request for a religious special event for the April 8, 2024, Total Solar Eclipse has been forwarded to Central Office Ministerial Services for review and determination.

Per directive # 4202, the Director of MFVS will review the above listed request and will notify Father Ndulaka with a copy to me once a final determination has been made. (As a reminder, a request for a new religion determination can take up to 120 days for completion, due to the necessary level of review.)

Your separate request for a facility wide special event for the Solar Eclipse was reviewed at the facility level and has been denied.

Cc: D. Howard, Superintendent
Father Ndulaka, Coordinating Chaplain
File

To: DSP Glebocki, Woodbourne CF
Fr: J. ZIELINSKI 16A3601 B2-22
Re: April 8, 2024 eclipse
Date: March 4, 2024

=====


As we discussed today, there is now less than 6 weeks until the April 8, 2024 eclipse, which as I've explained several times is an event of major religious significance for me as an Atheist which I must be able to observe. Per your direction I submitted the DOCCS Form #4202E, but obviously the standard period of "up to 120 days" to "review" doesn't work in this situation -- by the time that period expires, the eclipse will have happened and I will have been denied my right to participate in this religious event. The next total eclipse to transit the continental United States will not happen until 2044, and even that will only be viewable from the Washington state area in the far-northwest United States. The next one will be after I'm dead. I thus cannot afford to miss this critical event.

DOCCS is clearly capable of easily accommodating this simple, passive, one-time event for one Atheist. It does not take anywhere near 120 days for them to approve this. DOCCS this very month will be accommodating the elaborate scheduling, dietary, congregate gathering, and other requirements for the month of Ramadan for thousands of Muslims in DOCCS facilities. Also the DOCCS religious calendar of accommodations and events for other religions is close to 100 pages long. Not accommodating a single Atheist's request for a one-time event would be neither reasonable, nor justifiable, nor legal. For DOCCS to insist on adhering to a 120-day "review" period would impose an egregious burden on an exercise of my religion and serve no compelling governmental interest by the least restrictive means, as the Religious Land Use and Institutionalized Persons Act requires for such a burden to be legal. In other words -- denying my request would be a flagrant and incomparably harmful denial of my rights.

To ensure there's sufficient time for the issues to be considered, if I do not receive written confirmation by Friday, March 8, 2024 that my request to view the entirety of the eclipse has been approved, I will be left with no choice but to bring an emergency federal court action in the Southern District of New York for an injunction compelling the Director of Ministerial, Family, and Volunteer Services to accommodate my religion for this event. I've arranged for a pair of cardboard eclipse-viewing glasses to be sent to me; they should be arriving within the next several days.

As before if you have any questions I'm available at your convenience.

Thank you,



JEREMY ZIELINSKI

cc: file



Corrections and Community Supervision

KATHY HOCHUL
Governor

DANIEL F. MARTUSCELLO III
Acting Commissioner

TO: J. Zielinski 16A3601 B-2-22

FROM: D. Glebocki, Deputy Superintendent for Program Services

SUBJECT: April 8, 2024, Total Solar Eclipse Event

DATE: March 5, 2024

I have received confirmation from Ministerial Family Volunteer Services that you are approved for the April 8, 2024, Total Solar Eclipse event.

The Facility will purchase the Solar Eclipse viewing glasses for your use during the eclipse. At the end of the event, the glass will be returned to staff.

Cc: D. Howard, Superintendent
F. Exner, DSS
B. Larsen, DSA
G. Lang, Captain
Father Ndulaka, Coordinating Chaplain
File

To: DSP Glebocki, WCF
Fr: J. ZIELINSKI 16A3601 B2-22
Re: April 8 Total Solar Eclipse Event
Date: March 8, 2024

I'm happily in receipt of your correspondence that my request to view the April 8 eclipse has been approved by Ministerial Services. I appreciate DOCCS generously buying a pair of eclipse-viewing glasses for me. I didn't even ask for that so it's a pleasant surprise. Thank you!

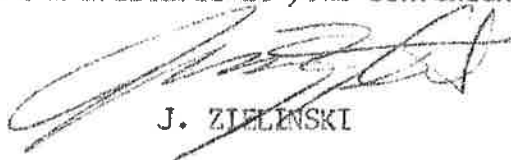
I'm writing in followup because multiple people of different religious backgrounds have asked if they can join me as guests for this amazing event. I explained the significance of eclipses in Atheism as part of the approval process, and in the last 48 hours I've had (among others) a Catholic, a Baptist, an Odinist, a Muslim, and a Santerian all tell me that celestial events like this have religious significance in their beliefs too. The alignment is viewed as a demonstration of God's creativity in ordering the universe. The fading and return of the Sun is considered a sign of forgiveness and redemption, a reminder to remain optimistic and hopeful even in dark times because the light always returns. Similar beliefs abound, but they all have this in common: Eclipses are important because they inspire awe and deep reflection, and are a rare opportunity for everyone to come together, enjoy our common humanity, and share joy at being alive in a universe so filled with wonder we can't even imagine its extent.

I realize that my original request didn't focus on congregate activities. This is obviously a pretty rare event. But the purpose of all religious events is to celebrate, and that's much easier and better (both in religious and practical senses) with other people. A big part of Atheism is trying to bring people together no matter what their personal beliefs are about where we came from, whether there's an afterlife, and so on. We disagree with the conclusions many other religions reach, but we appreciate and draw inspiration from the shared search for truth that's common to all religions. For that reason Atheists frequently sponsor and promote interfaith events as a way of encouraging people to find common ground, to see that our differences are small compared to our similarities. It frankly would be incredibly sad to be the only person able to see this event. The purpose of a celebration is to highlight that we're not alone, that we have much to celebrate together. It's very difficult to do that with no one else, especially with an event that's as inexpressible as the experience of a total eclipse.

You saw for yourself when you came into the office to tell me my request had been approved how much everyone else is looking forward to this: As soon as you said it there was an immediate chorus of enthusiasm by the other people there that they want to see it too. That's going to grow in the next few weeks because it's being covered extensively by all different types of media -- it's on the radio, on TV, in the newspapers and newsfeeds we get in our tablets every day, and even in the Westlaw news in the Law Library. Sports teams are opening their stadiums, schools are taking the day off, and hotels and convention spaces are selling out. Everyone is excited about it and no one wants to miss it.

Given all that, I'd like to ask that the facility revisit my original request that viewing the eclipse be available to everyone on April 8. At the very least I'd like to be able to have a few fellow incarcerated people as guests. I've talked to some staff and you won't have any shortage of volunteers to work the yard -- security and civilians are as excited as the population. It's so rare that we can all agree on anything that it'd be a shame to pass up the opportunity for everyone here to enjoy this. As an aside, a journalist I know has made clear she thinks this is a great story so it's going to get some positive media coverage. It'll be fantastic if I can update her that the facility has approved it as an everyone-is-welcome event.

As before if you have any questions I'm available at your convenience.



J. ZIELENSKI

cc: file



Corrections and Community Supervision

KATHY HOCHUL
Governor

DANIEL F. MARTUSCELLO III
Acting Commissioner

MEMORANDUM

TO: Incarcerated Population

FROM: Daniel F. Martuscello III, Acting Commissioner

SUBJECT: Total Solar Eclipse – Incarcerated Population

DATE: March 11, 2024

On April 8, 2024, New York State will be at the center of a total solar eclipse. In anticipation of this event, the Department has taken a proactive approach to ensure the safety of staff, visitors, and the incarcerated population, and to ensure the integrity of our facilities during this event. All facilities within the state will be impacted with some level of darkness during this event. However, twenty-three facilities fall directly within the path of totality and will experience total darkness, ranging from approximately one and a half minutes to approximately three and a half minutes.

The following 23 facilities will be in the path of the totality during the eclipse: Adirondack, Albion, Altona, Attica, Auburn, Bare Hill, Cape Vincent, Cayuga, Clinton, Collins, Five Points, Franklin, Gouverneur, Groveland, Lakeview Shock, Marcy, Mid-State, Mohawk, Orleans, Riverview, Upstate, Wende, and Wyoming.

On April 8, 2024, all facilities will operate on a holiday schedule. There will be no incarcerated movement in facilities from 2:00 p.m. to 5:00 p.m. and incarcerated individuals will remain in housing units except for emergency situations. For facilities in the path of totality, visitation will be canceled and publicized on the Department web page and social media, visitation at all other facilities will end at 2:00 p.m.

Family Reunion Program (FRP) units at facilities that are not located in the glide path, must be vacated and FRP visits terminated by noon on Monday, April 8, 2024. Normal operations will resume on Tuesday, April 9, 2024. For all facilities in the glide path, FRP units should be vacated by Sunday, April 7, 2024. FRP visits may resume at facilities within the glide path on Tuesday, April 9, 2024. These include facilities that utilize the shared site of an FRP facility in the glide path.

The Department has placed an order to purchase and distribute solar eclipse safety glasses to facilities in the path of totality for the incarcerated population.

*Wah
Lib*

Eclipse – Incarcerated Population
Page 2

You must use solar eclipse safety glasses to view a partial eclipse, an annular or “ring of fire” eclipse, and the partial phases of a total eclipse. A total eclipse is partial most of the time within the path of totality and partial all of the time outside the path of totality. Although it may be tempting to look directly at an eclipse with unprotected eyes when so much of the sun is obscured, the small amount of light emitted from a 99.9 percent partially eclipsed Sun is still dangerous.

A meeting with the Incarcerated Liaison Committee will be held in advance of the eclipse to discuss the operational plan and incarcerated safety.

In addition, this memorandum will be posted in all housing units, the general library, and the law library.

INCARCERATED GRIEVANCE COMPLAINT

Grievant: J. ZIELINSKI 16A3601 B2-22

Date: 3/12/2024

Problem: Last week DOCCS's Office of Ministerial, Family and Volunteer Services approved my RLUIPA request to view the April 8, 2024 total solar eclipse because it's a major religious event for Atheists. On March 8, 2024 I wrote to DSP Glebocki that other people have asked to join me as guests because celestial events are significant in their religions also. I explained that Atheists frequently promote and hold interfaith events to encourage people of different faiths to find common ground in our shared humanity, and thus asked to be able to have guests.

DOCCS Directive #4202 § VI[C][3] states:

"[I]t is acceptable for those who desire to learn more about the religious practices of another faith to request permission to attend up to three classes / services per year . . . of that faith group."


DOCCS Directive #4202 § III. POLICY states:

"[I]t is the intent of DOCCS to extend to incarcerated individuals as much spiritual assistance as possible, as well as to provide as many opportunities as feasible for the practice of their chosen faiths, consistent with the safe and secure operations of the DOCCS correctional facilities."

On March 11, 2024 DOCCS Acting Commissioner issued a memo that on April 8, 2024 everyone will be confined to their cells from 2:00PM to 5:00PM, because he asserts that the eclipse will cause facilities to "experience total darkness ranging from approximately one and a half minutes to approximately three and a half minutes." The planet Earth "experiences total darkness" every night - that's why all the facility yards have lights. More importantly, locking everyone in their cells will violate my rights under RLUIPA because it will prevent me from having guests.

The March 11 memo says DOCCS is purchasing eclipse glasses. RLUIPA requires DOCCS to take the "least restrictive means" of furthering its interests, and supplying eclipse glasses is less burdensome of religion than keeplocking everyone for three hours, so DOCCS must do that.

Remedy Requested: For me to be allowed to have guests at the Atheist Total Solar Eclipse event who want to attend for religious reasons or to learn more about Atheism as Directive #4202 allows. Also for this request to be immediately forwarded to DOCCS's Office of Ministerial, Family and Volunteer Services for review and approval.


J. ZIELINSKI

cc: file

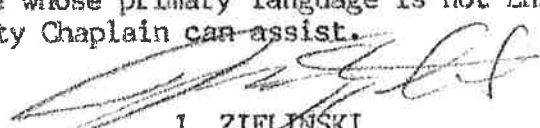
To: IGPS M. Hyman, Woodbourne CF
 From: J. ZIELINSKI 16A3601 B2-22
 Re: April 8, 2024 Atheist Total Solar Eclipse Event
 Date: March 12, 2024

This is in followup to my March 12, 2024 grievance requesting that I be allowed to have guests at the April 8 eclipse viewing who want to attend for religious reasons or to learn more about Atheism, which my grievance asserts is required by the Religious Land Use and Institutionalized Persons Act and Directive #4202.

RLUIPA requires that DOCCS accommodate religious beliefs which "are devout and sincere," and a person's RLUIPA rights are denied if DOCCS "substantially burdened [his or her] sincerely held religious beliefs by denying [his or her] chosen method of religious practice." Hawkins v. Miller, 2023 WL 5019602, at *4 (W.D.N.Y. Aug. 7, 2023). It is federal law under RLUIPA that government may not "say that [a person's] religious beliefs are mistaken or insubstantial" but may only determine "sincerity" by evaluating "whether the line drawn reflects an honest conviction[.]" Burwell v. Hobby Lobby Stores, Inc., 573 U.S. 682, 724-25 (2014). The state may not base any decision on a government evaluation of "whether the claimant has correctly interpreted his religious obligations." West v. Radtke, 48 F.4th 836, 847 (7th Cir. 2022). The Supreme Court has explained that "religious beliefs need not be acceptable, logical, consistent, or comprehensible to others in order to merit First Amendment protection." Fulton v. City of Philadelphia, Pa., 141 S. Ct. 1858, 1876 (2021). Also, a belief need not be orthodox in a particular religion to be protected, as religious freedom "is not limited to beliefs which are shared by all of the members of a religious sect" because state employees may not serve as "arbiters of scriptural interpretation." Thomas v. Review Board, 450 U.S. 707, 715-16 (1981).

Although RLUIPA provides "very broad protection for religious liberty," Holt v. Hobbs, 574 U.S. 352, 356 (2015), "prison officials may appropriately question whether a prisoner's religiosity, asserted as the basis for a requested accommodation, is authentic." Holt, 574 U.S. at 369. Note though, that a belief can be religious even if it includes secular elements. See Welsh v. United States, 398 U.S. 333, 342 (1970) (noting beliefs can be religious even if they have a "political dimension" or reflect "considerations of public policy").

My grievance requests that guests be allowed at the eclipse event "who want to attend for religious reasons or to learn more about Atheism as Directive #4202 allows." While RLUIPA requires this request to be accommodated, I believe it would be permissible (if it is not made an open event) for the facility to require a person who wants to attend to submit a written request which, in their own words, identifies their religion and gives some indication of why viewing the eclipse, or attending an interfaith event, is religious for them. This would be evidence of sincerity, and in my view a reasonable way for DOCCS to determine "whether the beliefs professed ... are, in his own scheme of things, religious", which is what RLUIPA protects. Kravitz v. Purcell, 2023 WL 8177114, at *11 (2d Cir. 2023). For anyone whose primary language is not English or who has difficulty writing, the facility Chaplain can assist.


 J. ZIELINSKI

cc: file

Proposed
Memo

To: Incarcerated Population
From: David Howard, Superintendent, WCF
Re: April 8, 2024 Total Solar Eclipse
Date:

On April 8, 2024 a solar eclipse will occur and be visible from Woodbourne Correctional Facility. Per the March 11, 2024 memorandum of Acting Commissioner Daniel Martuscello, all DOCCS facilities will operate on a holiday schedule from 2:00PM to 5:00PM, with individuals remaining in their housing units during this time.

The Office of Ministerial, Family and Volunteer Services recognizes that in some religious belief systems, eclipses have religious significance. Therefore, individuals who follow such a religion will be allowed to observe the eclipse from the Ballfield at Woodbourne. Looking at the Sun even briefly, even during an eclipse in which most of the Sun is blocked by the Moon, can cause eye damage. To allow individuals who have religious reasons for viewing the eclipse to safely do so, the Department will make eclipse glasses available at the start of the event, which must be returned upon returning to housing units.

To request permission to attend the eclipse viewing on April 8, 2024, you must submit a request in writing not later than March 31, 2024 to Father Ndulaka. Your request must identify your religion and state, in your own words, how viewing the eclipse or attending an interfaith event is religious for you. If you have limited English proficiency or difficulty writing, you may request the assistance of another incarcerated individual or speak to the Chaplain. All individuals whose requests are approved will appear on a callout for the event.

INMATE GRIEVANCE RESOLUTION COMMITTEEACKNOWLEDGE OF RECEIPTTO: **Zielinski, J.**DIN: **16A3601**LOC: **B2-22**

FROM: IGRC OFFICE

INCIDENT DATE: _____

ACTION REQUEST: _____

SIGNATURE: _____

CODE: **42**TITLE: **Wants Guests at religious event**This notice is to inform you that your grievance has been received by this office on **3/13/24**.It has been given the log number **WB-0105-24**.

Your log number, DIN, and cell location must be included on any inquiry made concerning your grievance.

Upon completion of an investigation into your grievance, you will be scheduled for an IGRC hearing. According to Directive #4040, if you do not appear for your hearing without a legitimate reason the IGRC will hold the hearing in absentia.

If your grievance is numbered as part of a consolidated issue, you may or may not be called for a hearing. However, you will receive a copy of the grievance committee's decision, and you may appeal any decision in accordance with Directive #4040.

Directive #4040, 701.3(a), **Incarcerated Individual Responsibility**: An Inmate is encouraged to resolve their complaints through the guidance and counseling unit, the program area directly affected, or other existing channels (informal or formal) prior to submitting a grievance.

Notice of Return: Please resubmit with correction requested.

Please be advised that your grievance received on _____, is being returned to you via facility mail for one or more of the following reasons. You may come down to the IGRC office during program movement to meet an IGRC Representative or IGP Super

_____ No action request, please indicate one.

_____ No incident date noted.

_____ No Signature

_____ Non-grievable per Directive #4040

_____ Unable to understand handwriting.

_____ Loss/damage of property is addressed by utilizing the claim mechanism in accordance with Directive #2733

_____ Other (as indicated below):

To Superintendent - DSP - Chaplin 5/12/2024

I would like to request permission to view the Solar eclipse on April 8th. I am a Protestant Baptist and a Christian. This event has significant meaning to me spiritually. To start with God created all things. The heavens and the earth. The moon and the Sun and the Stars. light and darkness genesis 1:3-6

God made two great lights. The greater light to govern the day and the lesser to govern the night. genesis 1:16. So during the eclipse we are watching God do an amazing thing with two of his greatest creations. Secondly as a Christian I believe that Jesus Christ was crucified and died on the cross for my sins and was resurrected 3 days later. This is the basis for the Christian religion. what you may not know is that on the day that he died on the cross there was a Solar eclipse that lasted for 3 hours.

matthew 27:45 tells us - From the Sixth hour until the ninth hour darkness came over all the land (From 12pm - 3pm)

mark 15:33 tells us - At the Sixth hour darkness came over the whole land until the ninth hour.

Luke 23:44 tells us - It was now about the sixth hour and darkness came over the whole land until the ninth hour. Luke 23:45 - for the Sun stopped shining. My Lord and Savior died at the end of this eclipse

This eclipse will also be very close to Easter adding additional Spiritual meaning to me. There are many mentions in the Bible of the Sun and the moon, what day Easter falls on each year is determined by the full moon after the Spring equinox. The Sun and the moon are talked about in almost every book in the Bible

So viewing this Solar eclipse would be a day of worship and remembrance of my God and my Savior Jesus Christ. That I might witness what he saw moments before he died on the cross.

Thank you
Travis Hudson

Travis Hudson
16A1277 B-2-1




Corrections and Community Supervision

KATHY HOCHUL
Governor

DANIEL F. MARTUSCELLO III
Acting Commissioner

TO: T. Hudson, 16A1277 B-2-1

FROM: D. Glebocki, Deputy Superintendent for Program Services 

SUBJECT: Request to view Solar eclipse

DATE: March 14, 2024

This memorandum is in response to your March 12, 2024, letter concerning your request to view the April 8, 2024, Solar Eclipse as a religious event.

Per directive # 4022 "Special Event Program", "An incarcerated individual may attend only the religious holy day observance of their designated religion."

Be advised, facility records indicate that you are designated Baptist.

NYSDOCCS Religious Holy Day Calendar 2024 does not note the viewing of the Solar Eclipse as one of the Baptist Religious Events, as such your request has been denied.

Cc: D. Howard, Superintendent
File

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMY ZIELINSKI, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

DANIEL MARTUSCELLO,

Defendant.

Declaration of Travis Hudson

Case No. _____

I, Travis Hudson, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:


1. I am a sincere believer of the Protestant Baptist faith, as I have been since I was a child.

2. For many years before I was incarcerated I went regularly to Lake Placid Baptist Church. I participated in prayer walks to spread the blessings of God and other activities with people in the congregation to practice my faith. We always looked for ways to find the Spirit of God in public holidays even if they ordinarily had no religious signs.

3. If I was not incarcerated, I would most definitely invite the other members of our congregation to watch the upcoming solar eclipse together. I cannot do that while here at Woodbourne, but watching the eclipse with the people I know here is a way for me to feel closer to God and remember that Jesus gave his life for our sins.

4. I would therefore like this court to require the facility to allow me and other people of faith, even different faiths, to watch the eclipse.

Executed on March 19, 2024
at Woodbourne, New York.



Travis Hudson, DIN 16A1277
Woodbourne Correctional Facility
99 Prison Road, P.O. Box 1000
Woodbourne, NY 12788-1000

To: Supt. Howard, WCF
Fr: J. ZIELINSKI 16A3601 B2-22
Re: April 8 Eclipse Event
Date: March 14, 2024

Dear Supt:

Enclosed is a complaint being filed as a grievance. It is imperative that this be reviewed and remedied immediately, as DSP Glebocki has unlawfully denied a request by a person to attend the April 8 solar eclipse event with me, in violation of my own rights. I am specifically requesting that this person be allowed to attend the Eclipse event, although I don't think my request is necessary because DOCCS has no authority to point to the absence of the Eclipse from a "holy day calendar" as a basis for essentially telling Mr. Travis "You're wrong, the Eclipse has no religious significance to you; we prison staff know best and if you want to experience what you believe Jesus saw as he died on the cross, or see your God's creations coming together on Eclipse Day, that's just too bad."

This is a denial of my rights to participate in this event with an interfaith invitee. If I do not receive written confirmation that all interference with my rights has ceased, I will be forced to bring an immediate suit in the Southern District of New York for an emergency injunction. Since my sincere belief for this event is that it's supposed to be a day when everyone can come together to celebrate our shared humanity regardless of any other particulars of each person's beliefs, I very much hope you wouldn't make me sue over it.

If you have any questions I'm available at your convenience.



J. ZIELINSKI

cc: file

INCARCERATED GRIEVANCE COMPLAINT

Grievant: J. ZIELINSKI 16A3601 B2-22 Date: 3/14/2024

Problem: On 3/14/2024 DSP D. Glebocki violated my rights under the Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc et seq. ("RLUIPA") by refusing to allow Travis Hudson, 16A1277 to view the Total Solar Eclipse with me on April 8, 2024. I clearly explained to DSP Glebocki on March 8 in writing that sharing this event has religious importance to me as an Atheist. A copy of DSP Glebocki's illegal March 14, 2024 memorandum is attached and claims to be based on DOCCS Directive #4022 "Special Event Program" claiming "An incarcerated individual may attend only the religious holy day observance of their designated religion." It further claims "NYSDOCCS Religious Holy Day Calendar 2024 does not note the viewing of the Solar Eclipse as one of the Baptist Religious Events, as such your request has been denied."

No DOCCS directive or "religious holy day calendar" supersedes my rights under RLUIPA. Denying my request to have guests does not further any compelling governmental interest, nor even if it arguably does is it the least restrictive means. DOCCS has no authority to decree that only particular days are "holy" or have religious significance. "More importantly, individuals have the right to exercise their faith in unique and nontraditional ways" as state employees "are not competent to resolve matters of religious doctrine." Coronel v. Paul, 316 F.Supp.2d 868, 881 (D. Ariz. 2004). Put simply: The fact that DOCCS did not put the Eclipse as a "holy day" in its own agency calendar does not mean it is not "holy" or otherwise religiously-significant and protected by RLUIPA.

Also, DSP Glebocki's memo is either mistaken or dishonest: DOCCS Directive #4022 § II.B.1.b.4 is what Glebocki's memo quotes, but that section has no applicability to this religious event, as the directive plainly states:

- b. Religious Holy Day Observances: During the last quarter of the calendar year, the Division of Ministerial, Family and Volunteer Services will advise the facility Superintendent and Chaplains of the specific Holy Days which may be observed with family for the following year.

The April 8 Total Solar Eclipse event is not a "Family Participation Event" and so that section is not a legitimate basis for interfering with my religious rights with respect to the April 8 eclipse.

Remedy Requested: 1. For this unlawful interference with my religious rights to be immediately ceased and desisted. 2. For DOCCS to amend any directive cited as an excuse to interfere with my religious rights for this event, to clarify that the absence of a particular event from any DOCCS designation of it as "holy" may not be relied on as a basis to deny any request to participate in a religious event.


J. ZIELINSKI

cc: Supt. D. Howard, WCF
file

3/14

To assist in the spiritual journey of my wife
from her illness to the end of her life March 14, 2024.

I am holding the personal belief that we
will meet in the afterlife which we will have in
New York April 8.

I am a follower of Santeria for my whole life.
This is a opportunity of a lifetime to see GOD
Who is the sun and moon who wake us up
Every morning. The understanding to GOD's
creation to life, it is important in Santeria's
Religion to witness this event of a lifetime
and Make a Spiritual offering.

Bruce Moses 18A2398

3/14

To: Superintendent / Deputy Supt. of Programs

From: Bruce Moses 18A2398 B2-16 March 14, 2024

I am told you are the person to write to receive permission to see the eclipse which we will have in New York April 8.

I am a follower of Santeria for my whole life. This a opportunity of a lifetime to me, To see GOD Who is the sun and morning who wakes everyone every morning. The understanding to GOD's creation to life, it is important in Santeria's Religion to witness this event of a lifetime and make a spiritual offering.



Corrections and Community Supervision

KATHY HOCHUL
Governor

DANIEL F. MARTUSCELLO III
Acting Commissioner

TO: Bruce Moses 18A2398 B-2-16

FROM: D. Glebocki, Deputy Superintendent for Program Services

SUBJECT: Request to view Solar Eclipse

DATE: March 14, 2024

This memorandum is in response to your March 14, 2024, letter concerning your request to view the April 8, 2024, Solar Eclipse as a religious event.

Per directive # 4022 "Special Event Program", "An incarcerated individual may attend only the religious holy day observance of their designated religion."

Be advised, facility records indicate that you are designated Santeria.

NYSDOCCS Religious Holy Day Calendar 2024 does not note the viewing of the Solar Eclipse as one of the Santeria Religious Events, as such your request has been denied.

Cc: D. Howard, Superintendent
File

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JEREMY ZIELINSKI, Plaintiff,

v.

DANIEL MARTUSCELLO, Defendant.

Declaration of Bruce Moses

22-cv-924 (LJV)(JJM)

I, Bruce Moses, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am a follower of the Santeria religion and have been for my whole life.

2. On March 14, 2024 I asked the Superintendent and Deputy Superintendent for Programs of Woodbourne Correctional Facility for permission to watch the April 8, 2024 solar eclipse which will be happening. I explained in my request that it is very important in Santeria to witness this event of a lifetime, to see GOD who is the sun and wakes everyone in the morning, and to make a spiritual offering. A copy of my request is attached.

3. On the same day March 14, DSP Glebocki denied my request, saying that the "NYSDOCCS Religious Holy Day Calendar 2024 does not note the viewing of the Solar Eclipse as one of the Santeria Religious Events, as such your request has been denied." I do not understand why a calendar made by DOCCS, who is not able to say what is and is not holy to me or in Santeria, matters. I am aware that the Plaintiff has received approval but DOCCS did not offer me the same right to me as a follower of Santeria. I would like the court to make DOCCS allow me to see the eclipse so I can make a spiritual offering to God.

Executed on March 15, 2024
at Woodbourne, New York.



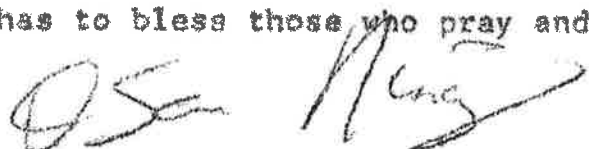
Bruce Moses, DIN 18A2398
Woodbourne Correctional Facility
99 Prison Road, P.O. Box 1000
Woodbourne, NY 12788-1000

To: Superintendent of Woodbourne
From: Oscar Nunes
DIN: 17-A-0842
Subject: Eclipse / Santeria (April 8, 2024)
Date: March 14, 2024

Good day,

As a Senior member of the Santeria community I'm asking you to grant me the opportunity to partake in a rare religious experience that will bring blessing to my religious goals.

Members of the Ile (home) pray and chant to Ochu (the moon) and Orun (the sun) for blessings while they meet (eclipse) thus allowing vibrations of the Orishas to bless those who pray and chant. Thank you very much!

A handwritten signature in dark ink, appearing to read 'Oscar Nunes', is written over the end of the letter's body text.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JEREMY ZIELINSKI, Plaintiff,

v.

DANIEL MARTUSCELLO, Defendant.

Declaration of Oscar Nunez

22-cv-924 (LJV)(JJM)

I, Oscar Nunez, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am a Senior member of the Santeria community at Woodbourne Correctional Facility.

2. On March 14, 2024 I requested that the Superintendent of Woodbourne allow me to view the April 8, 2024 solar eclipse. As I explained in my request, a copy of which is attached, this is an opportunity to partake in a rare religious experience that will bring blessings and help me reach my religious goals. Members of the Ile (home) pray and chant to Ochu (the Moon) and Orun (the Sun) for blessings. When they meet in the eclipse this allows the vibrations of the Orishas to bless those who pray and chant.

3. DOCCS, however, refuses to allow me to attend because they say the viewing of the eclipse is not on the "NYSDOCCS Religious Holy Day Calendar 2024." I understand the Plaintiff in this case is asking this Court to allow individuals such as myself to be allowed to view the eclipse with him, as he has been approved. I ask that the court order DOCCS to stop denying me permission to partake in this event as it is a part of my Santeria beliefs as explained above. Thank you.

Executed on March 15, 2024
at Woodbourne, New York.



Oscar Nunez, DIN 17A0842
Woodbourne Correctional Facility
99 Prison Road, P.O. Box 1000
Woodbourne, NY 12788-1000

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMY ZIELINSKI, on behalf of himself and all
others similarly situated,

**Declaration of
Jean Marc Desmarat**

Plaintiff,

Case No. _____

v.

DANIEL MARTUSCELLO,

Defendant.

I, Jean Marc Desmarat, declare under penalty of perjury pursuant to 28 U.S.C.
§ 1746 that the following is true and correct:

1. I am incarcerated at Woodbourne Correctional Facility and acquainted
with the Plaintiff. I make this declaration in support of the claims herein that the
defendant is violating the Religious Land Use and Institutionalized Persons Act by not
allowing incarcerated individuals for whom viewing the April 8, 2024 total solar
eclipse (the “Eclipse”) has religious significance to do so.

2. I am a sincere adherent of the Islamic faith and have been for many years.

3. I believe viewing the Eclipse has religious significance because there is a
special prayer inscribed in the Holy Quran that we are supposed to perform as the
Prophet (peace be upon him) did. I also believe that congregating with other people
of faith when possible to enjoy merciful Allah’s great Creation is a very important

religious duty. The Eclipse is the last eclipse that will happen for 20 years and I am 60 years old.

4. On March 14, 2024 I asked Woodbourne CF Deputy Superintendent for Programs, Danielle Glebocki, for permission to view the Eclipse, and she denied it by telling me that it's not on DOCCS's "Religious Holy Days Calendar" for Islam. There is nowhere near enough time before the Eclipse for the DOCCS grievance process to complete. Also I'm aware DOCCS has given the same reasoning to deny other people.

5. I am not aware of any other event for which DOCCS claims authority to decide what is and is not a "holy day." The "Religious Holy Days Calendar" is not an Islamic authority but is just for DOCCS's own convenience.

6. I therefore request the Court order the Defendant to allow me and other incarcerated people to view the Eclipse.

Executed on March 14, 2024
at Woodbourne, New York.



Jean Marc Desmarat #03-A-6318
Woodbourne Correctional Facility
99 Prison Road, P.O. Box 1000
Woodbourne, NY 12788-1000

To: DSP Glebocki
Supt. Howard

March 15, 2024

I am writing to request the opportunity to experience the solar eclipse on April 8, 2024. I am a registered 7th Day Adventist and attend services on Saturday afternoons. This solar eclipse does hold special religious significance to me because at the time of Jesus' crucifixion there was an eclipse of the sun (Matthew 27:45).

Your latest memo concerning the eclipse is confusing. You state that O/ds will be locked in our cells and that you will be distributing viewing glasses.

I believe you should allow all those who expressly request to view the eclipse, especially for those who have a religious request.

Thank you for your consideration.

I/E Haigh
19A0201
B-2-36

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JEREMY ZIELINSKI, on behalf of himself
and all others similarly situated,

Plaintiff,

v.

DANIEL MARTUSCELLO, et al.,

Defendants.

Declaration of David Haigh

Case No. _____

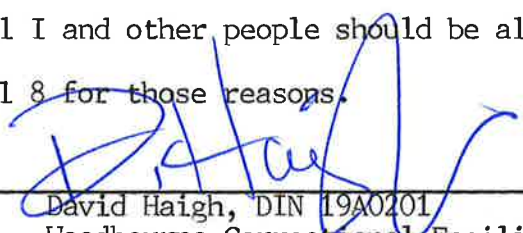
I, David Haigh, declare under penalty of perjury that the following is true and correct pursuant to 28 U.S.C. § 1746:

1. I am currently registered with New York prison authorities as a Seventh Day Adventist and attend services every Saturday. Before I entered state custody I frequently joined other Christians at Hershey Evangelical Free Church in Hershey, Pennsylvania. I began attending Seventh Day Adventist services as I felt called by a close connection with peers.

2. I have attended services since about 1995. For three years at Penn State and Purdue universities, I was a member of Campus Crusade for Christ. My belief in Jesus Christ as redeemer from our sins as the will of God is sincere.

3. The New Testament tells us that as Jesus' life faded, the sky darkened over all the land and the sun went dark. The only phenomenon I know in God's creation that can cause this is a total solar eclipse. As the Bible also tells us God created light and darkness, the sun and the earth, I believe that being able to see all these forces coming together is a very important event, one which I have never been able to see before and which will not be available again for a very long time. I very strongly feel I and other people should be allowed to see the eclipse that will occur on April 8 for those reasons.

Executed on March 19, 2024
at Woodbourne, New York.



David Haigh, DIN 19A0201
Woodbourne Correctional Facility
99 Prison Road, P.O. Box 1000
Woodbourne, NY 12788-1000



Corrections and Community Supervision

KATHY HOCHUL
Governor

DANIEL F. MARTUSCELLO III
Acting Commissioner

TO: Zielinski 16A3601 B-2-22

FROM: D. Howard, Superintendent *D. Howard*

DATE: 3/18/2024

SUBJECT: Letter Dated 3-14-2024

I have received your letter concerning the eclipse. In your letter you stated you were filing a grievance. Therefore, you will receive a response via the Grievance program.

CC: File



Corrections and Community Supervision

KATHY HOCHUL
Governor

ANTHONY J. ANNUCCI
Acting Commissioner



RELIGIOUS HOLY DAY CALENDAR 2022

Published annually through the
Division of Ministerial, Family, and Volunteer Services



12/15/21

RELIGIOUS HOLY DAY CALENDAR **Guidelines**

06	Asatru (Odinist/Wotanist)
08	Bahai
10	Buddhist
12	Church of Jesus Christ of Latter-Day Saints
13	Greek Orthodox Christian
15	Hindu
17	Islam
20	Jediism
22	Jehovah's Witnesses
23	Jewish
26	Moorish Science Temple of America
27	Nation of Gods and Earths
28	Nation of Islam
30	Native American
33	Protestant
37	Quakers
38	Rastafarian
40	Roman Catholic
42	Santeria
44	Seventh Day Adventist
45	Shetaut Neter
46	Shi'a
49	Sikh
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51	Appendix: Brief Explanation of Abbreviations
53	Religious Items and Symbols
64	Individual Worship Checklist
68	Ramadan Protocols
72	Jewish Protocols
77	Native American Food Items

* All questions concerning the information in this packet should be addressed to the assigned MPC and/or the Director of Ministerial, Family and Volunteer Services.

Dietary/menu concerns should be discussed with the Food Service Administrator and/ or the Deputy Superintendent of Administration at the facility. If the issue cannot be resolved at the facility level, the Director of Nutritional Services should be consulted.

An asterisk (*) further denotes Family Event (FE).

12/15/21

Guidelines

The Religious Holy Day Calendar is in alphabetical order per faith group. A brief description of the faith group, the dates of the celebrations, as well as notations for the approved family event (FE), menu considerations (MC), off work & programs (OWP) and special considerations (SC). **When adherents are OWP, a portion of the day must be dedicated to the purpose of that day (service, video, etc.).** Coordinating Chaplains are responsible for noting all holy days that require a special accommodation on the facility events calendar; it would be helpful to list the deadline to request participation on this document. A copy of the facility calendar must be received by the assigned Ministerial Program Coordinator (MPC) within thirty days of this calendar being distributed. The calendar should also be posted for adherents' view.

These guidelines are expected to be followed. Any deviation must receive prior approval from the facility administration and the Director of Ministerial, Family, and Volunteer Services.

Adherents must be on a call-out to attend worship services and / or classes. For the facilities where the call-out system is not feasible, a sign-in sheet must be used. Call outs and sign-in sheets must be kept on file by the Coordinating Chaplain. While it is not a requirement for adherents to attend service/class to participate in the holy day events for their faith groups, they must submit a written request to participate in the religious programs that they are interested in.

Chaplains must complete event packages in a timely manner; it is reasonable to expect them to be submitted a minimum of 45 days in advance. This should include the notice to the faith group and names of those who requested to participate. In transits/transfers who arrive after the deadline and request to participate in a religious event for their designated faith should be approved. Policy allows for the statewide menu to be supplemented for any religious holiday with an MC designation only. If there are sufficient funds available in the group's religious organizational or ledger account, a list of the requested food items and payment must be included with this packet. These additional food items must be purchased from an approved vendor. Only in cases where the faith groups lack sufficient funds to purchase food, will they have the option of receiving food donations. Adherents must identify a vendor and the request may be made by the Chaplain; however, adherents are not to solicit donations. These donations must come from an approved vendor, be delivered to the Package Room and screened by Package Room staff. A receipt from the vendor listing the food items and quantity must be kept on file with the event packet regardless of whether the food is purchased or donated. The quantity should be equivalent to no more than \$6.00 per participant for a single day event. When a holy day is designated as a multi-day event (for example, Ramadan or Passover), a group of 75 adherents or more may supplement the menu at a cost not to exceed \$15.00 per adherent; groups of less than 75 can spend up to \$30.00 per adherent. Based on the logistics of each facility, each Superintendent will determine if the meals will be consumed in the worship area or the mess hall. Regardless of where the meals are eaten, food should not be approved to be taken back to the housing area.

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Policy does not require an adherent of the faith to prepare holy day meals. If a facility approves a non-employed mess hall worker to assist with a holy day meal, it is understood that the adherent is assisting on a voluntary basis and is not to be paid. If the adherent is a mess hall worker, then the adherent is to be paid for normal work hours; no over time is to be paid.

All approved faith groups are permitted to have a maximum of one religious family event per year. With regard to the cost of food for guests during the family event for each religious faith group, the adherents will be expected to cover the cost of food for their guests, in accordance with policy outlined in Department Directive #4022, Special Events Program. However, the number of guests will be determined by the facility's established policy for special events.

It is possible that the designated family event will fall on a weekday. The religious community may request to switch the event to the weekend to accommodate family members. Approval may be given with the understanding that they will be allowed to be off work and programs and expected to have congregate worship/prayer service, but there will be no special meal/refreshments on the actual holiday.

It is hoped that worship services take place on the traditional day of worship. For religions that require Eucharist, a maximum of 2 ounces of wine can be brought in by the Chaplain/approved volunteer. **A gate clearance must be secured in advance and any leftover wine must be taken out of the facility at the end of the service.** Please note that worship services/classes should not be scheduled during peak program hours. The exception is the Friday Jumuah service because Muslims are required to offer their prayers upon the early entry of the time of prayer. The noon prayer Dhuhur/Jumuah must start at 12:30 pm in the winter and 1:00 pm in the summer.

The **Religious Land Use and Institutionalized Persons Act (RLUIPA)**, Pub. L. 106-274, codified as **42 U.S.C. § 2000cc et seq.**, is a **United States federal law** that prohibits the imposition of burdens on the ability of prisoners to worship as they please and gives **churches** and other religious institutions a way to avoid burdensome **zoning law** restrictions on their property use. It was enacted by the **United States Congress** in 2000 to correct the problems of the **Religious Freedom Restoration Act (RFRA)** of 1993. The general rule is that no government shall impose a substantial burden on the religious exercise of a person residing in or confined to an institution unless the government demonstrates that imposition of the burden on that person is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest.

In an effort to ensure compliance with RLUIPA, adherents will no longer be required to pick faith specific items for individual worship only. A list of all approved religious items for individual worship is being provided with this version of the Religious Calendar. In addition to approved religious literature, these are the only items that should be allowed for individual worship. Regardless of their religion of record, adherents may select any item(s) from the attached list. In order to maintain the integrity of the tenets of the religion, all items for congregate worship will remain faith specific and are listed in the Religious Calendar. All religious items



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which are specific to the adherent's religion of record may be worn within the facility and outside congregate worship, as noted within the policies and procedures of DOCCS. Furthermore, in accordance with RLUIPA, if the adherent desires to wear items not specific to his/her Religion of Record, the item(s) may only be worn within the confines of his/her dorm, cellblock, or housing unit.

The standardized form to be used when documenting approved religious property is attached.

In compliance with Directive #4911, Packages and Articles Sent or Brought to Facilities, color restrictions apply to religious articles, head coverings, and clothing. All religious literature/media must be approved in accordance with Directive #4572, Media Review. Questions regarding religious significance to a faith group should be referred to the assigned MPC, Director of Ministerial, Family, and Volunteer Services or designee.

When questions arise with regard to faith practices, a facility Chaplain should be consulted immediately concerning the proper faith practice. If a question persists, the assigned MPC or the Division of Ministerial, Family, and Volunteer Services should be consulted at (518) 402-1700. Under no circumstances should facility staff seek advice from outside resources.

 Corrections and Community Supervision DIRECTIVE	TITLE Special Event Programs		NO. 4022 DATE 4/10/2020
	SUPERSEDES DIR #4022 Dtd. 08/01/19	DISTRIBUTION A B	PAGES PAGE 1 OF 11
REFERENCES (include but are not limited to) ACA Expected Practices 4-4486, 1-ABC-5C-06; Directives #0401, #2771, #4750, #4752, and #4760		APPROVING AUTHORITY 	

- I. **POLICY:** Each general confinement facility shall plan and schedule "Special Event Programs" for its general population inmates. These program activities shall be specifically designed to:

- Celebrate cultural, religious, and ethnic affiliations
- Recognize individual and group achievements
- Strengthen community and family ties

Each Superintendent shall form a Special Event Programs Committee. Names and titles of committee members shall be forwarded to the Division of Education at Central Office. The committee is mandated to plan, coordinate, and implement such programs. The committee shall include Executive staff, the sponsoring Inmate Organization Staff Advisor (where appropriate), and representatives from Food Services, Security (Sergeant or above), Recreation, Ministerial Services, Volunteer Services, and the Business Office. Copies of the duties of each member of the committee shall be available from the Deputy Superintendent for Programs.

The Recreation Program Leader 2 shall be appointed Chairperson. If this position is vacant or does not exist, another appropriate staff member shall be appointed Chairperson. There is no need for the Chairperson to be present for every special event. Instead, other appropriate staff members should be encouraged to be present as monitors and trouble-shooters. For example, Chaplains should monitor religious events and Inmate Organization Staff Advisors should attend special events sponsored by those organizations.

Directive #4760, "Inmate Organizations," provides guidance for Inmate Organization sponsorship of special event programs.

General confinement facilities shall schedule a sufficient number of special event program opportunities to ensure that each inmate may invite family members to a minimum of two such programs per year, provided that inmate response warrants holding the minimum number of family events.

The Superintendent shall determine the total number of inmates and guests that can be accommodated on an ongoing basis and shall develop a uniform attendance policy based on that determination for all special event programs.

II. SPECIAL EVENT PROGRAMS CALENDAR

A. Preparation

1. The Deputy Superintendent for Programs, with the assistance of the Special Event Programs Committee, is responsible for developing an annual Calendar of Special Event Programs which satisfies the policies and specifications set forth in this directive.
 2. The calendar is to be printed after review and clearance by the facility Executive staff and approval by the Superintendent. It is to be distributed in a manner which ensures that all inmates are informed and have access to a copy. A copy will be sent to the Division of Education at Central Office.
 3. The final calendar must clearly designate:
 - a. "Family participation" event programs;
 - b. Events which may only be attended with family members; and
 - c. Indicate the total number of participants and guests allowed.
- B. Contents: The annual facility Calendar of Special Event Programs shall describe facility plans for event programs in the following categories:
1. Family Participation Events
 - a. Family Day Picnics: Each facility must schedule a minimum of two Family Day Picnic events each year, provided that adequate inmate interest exists. The facility shall determine the minimum number of inmates that are necessary to verify that adequate inmate interest exists. The number of Family Day Picnics and dates shall be established by each facility according to population and available space, to provide each eligible inmate with an opportunity to invite family members to two such programs per year. Ideally, these are held during summer months. Since these are family participation events, inmates must invite guests in order to attend. If a particular inmate's invited guests do not show up, the inmate may not participate.
 - b. Religious Holy Day Observances: During the last quarter of the calendar year, the Division of Ministerial, Family and Volunteer Services will advise the facility Superintendent and Chaplains of the specific Holy Days which may be observed with family for the following year. This will permit facilities to complete their calendars in a timely manner. The facility Ministerial Services Office will oversee these observances.
 - (1) Each religious group is allowed to hold one "Family Day Event" as designated in the Department's Religious Calendar, which is published by the Division of Ministerial, Family and Volunteer Services and distributed to all facilities on an annual basis.
 - (2) These "family participation" programs are not included in the minimum of two family participation opportunities afforded to each inmate.
 - (3) Inmates may attend the Religious Holy Day Observances without guests.
 - (4) An inmate may attend only the religious Holy Day Observance of his or her designated religion as noted in facility records.

(5) Inmate participants for religious Holy Day observance shall not be charged for the religious Family Event meal. Inmates are responsible to pay the cost of the meal for their invited guests.

- c. Native American Events: An exception to the one "Family Day Event" limit is allowed for Native Americans in accordance with the "Hughes v. Goord" settlement as outlined in the Department's Religious Calendar. Department protocol as outlined in the "Hughes v. Goord" settlement agreement mandates that Native American inmates, as well as the Native American Community, may propose outside Native Americans to be invited as guests. Native American "Community Guests" should be Nation/Tribal/Clan dignitaries, such as a Chief, Clan Mother, Faith Keeper, or Elder(s), who are knowledgeable of Native American customs and traditions. It would also be appropriate to allow dignitaries from the military, or veterans, or an official from a community outreach agency. Each participating inmate can also individually invite members of their immediate family and members of their Nation/Tribal/Clan family.

Native American invited guests are not required to have visited the inmate at least twice in a DOCCS facility prior to the event. However, the listing of invited guests must be provided to the facility administration at least 72 hours prior to a scheduled celebration. Security concerns dictate that the total number of invited guests will be determined by the Superintendent.

- d. Special Award Programs: When approved by the Superintendent, an inmate recipient of a diploma or award may invite guests to attend the ceremony (school graduation, etc.) at which the formal presentation is to be made. These programs are not included in the minimum of two family participation opportunities afforded each inmate.

2. Non-Family Participation Events

- a. Heritage Days: The Department recommends that at least three Heritage Days be observed at each facility. Participation by community entertainers, speakers, and other community guests should be encouraged and emphasis should be given to unique educational and cultural aspects of various ethnic groups. Participation across ethnic and racial lines should be encouraged.
- b. Inmate Organization Special Events: All Inmate Organizations will be permitted to have one special event program for members only to which community guests may be invited. An inmate attending this type of event must have been a member of the organization for at least 90 days prior to the event. Directive #4760 provides direction to organizations wishing to schedule such an event program.

A special event program to be held by an Inmate Organization must have the Superintendent's approval via Form #3089, "Request for Approval of Special Projects and/or Special Events," and Form #3090, "Review of Request - Special Projects and/or Special Events." The staff advisor assigned to the Inmate Organization should oversee these special events.

NOTE: Inmate Organizations cannot sponsor Family Day Picnics or Heritage Day events.

- c. Legal Holidays: Special commemorative observances for National holidays should be for inmates only.

New Year's Day	Independence Day	Veterans Day
Martin Luther King Day	Labor Day	Thanksgiving
President's Day	Columbus Day	Christmas Day
Memorial Day	Election Day	

III. GENERAL GUIDELINES/IMPLEMENTATION

- A. Family Participation: Inmates may invite family members to special event programs as indicated above. Family members cannot attend event programs which have not been designated "family participation."

Family members include the following, but they must be on the inmate's approved visiting list:

Father	Uncle	Grandfather
Mother	Legal Married Partner	Grandmother
Brother	Verified Common Law Spouse	Son/Daughter
Sister	Niece	Aunt
In-laws	Nephew	First Cousin
Grandchild		

NOTE: Spouses must possess documentation of a valid marriage certificate or a declaratory judgement stating the validity of an out of state common-law marriage.

An inmate may be allowed to invite friends from his or her approved visiting list in lieu of family members if: (1) the inmate has no family; or (2) the inmate has not been visited by a family member within the 60 days preceding submission of the request list.

The facility shall impose a limit on the number of guests each inmate may invite to each event.

An invited guest will only be allowed to participate if he or she has visited the inmate at least twice in a NYS Department of Corrections and Community Supervision (DOCCS) facility during the current incarceration and is authorized for contact visitation with that inmate. An exception to the two-visit requirement may be authorized by the Superintendent under the following circumstances:

1. An exception may be made for an inmate's legal child, under 18 years of age, who has not previously visited, provided that the child is accompanied by an adult visitor who has met the previous visiting requirement. If the adult visitor has "legal custody" of the inmate's legal child, it is not necessary for them to be listed as a "family member" for approval, provided the adult visitor has visited the inmate at least twice prior to the event.
2. An exception may be made for a verified family member when the extraordinary circumstances have prevented the family member from visiting an inmate at least twice in a NYS DOCCS facility during the current incarceration.

The procedures for inmates to pay for themselves and guests should be included in local policies and procedures as outlined in Attachment A, "Local Facility Policy and Procedures."

B. Community Guests**1. Definition**

- a. For the purposes of this directive, community guests may include:
 - (1) Representatives of the outside community (e.g., legislators, community agency staff, volunteers, etc.); or
 - (2) DOCCS personnel on off-duty status or officially stationed at other geographic locations.
- b. Representatives of news media shall not be invited as community guests. (Representatives of the news media may not act in their professional capacity within a correctional facility unless they have been admitted in accordance with Directive #0401, "Release of Information to the News Media.")
- c. Community guests will not generally include family members or friends who are on an inmate's approved visiting list. However, an individual who is on an approved visiting list may attend as an invited guest with the specific approval of the facility Superintendent.

2. Approval

- a. A prospective community guest may be invited to participate, speak, or entertain at an event or seminar only with the prior written approval of the Superintendent. The Superintendent is under no obligation to approve a community guest but may do so if it can be established that the community guest meets a legitimate purpose appropriate to the event, or has the background and expertise which qualifies him or her to speak or participate in the event.
- b. If the prospective community guest cannot be readily identified (e.g., as a registered volunteer, government official, religious leader, etc.), the "Application for Volunteer Status" must be utilized. Refer to Directive #4750, "Volunteer Services Program," for more information.
- c. If the prospective community guest is a celebrity, well-known person, or has some degree of notoriety due to his or her personal views or history, the Superintendent shall consult with the Office of Public Information and, if appropriate, a cognizant Deputy Commissioner.
- d. On those occasions when a community person is invited to speak at an event or seminar conducted at a facility, the speaker should be alerted that his or her remarks or performance may be videotaped. The speaker shall provide a written outline of his or her remarks one week prior to the scheduled event or seminar to the Deputy Superintendent for Programs for review.

3. When a Superintendent approves a speaker for an event or seminar, the following statement should be included with the invitation:

"While the Department of Corrections and Community Supervision welcomes individuals from the community to deliver positive educational and/or inspirational speeches or homilies, it should be kept in mind that in a correctional setting, statements may be misconstrued or magnified by the inmates to the extent that they could jeopardize the safety and security of community guests, volunteers, staff, and inmates. As you prepare your remarks, please keep this in mind."

C. Attendance

1. The Superintendent shall determine how many inmates and guests can be accommodated on an ongoing basis at special event programs and shall develop a uniform attendance policy based on this determination.
2. Each facility shall keep on file event packets that verify inmate registration and attendance for a minimum of one year.
3. Prior to an event, anticipated attendance must be carefully estimated, particularly if food is to be served. The Inmate Committee or Inmate Organization involved in the planning must assist in determining the number of inmates, family members, and community guests expected to attend each special event program.

D. Facility Special Event Programs - Local Policy: Local policy must include all the material from Attachment A. This policy should also address:

1. **Deadlines**: Establish Commissary buy deadlines, which must be a minimum of 45 days prior to the special event.
2. **Interest Level/Attendance**: Establish the minimum number of event applications which would indicate sufficient inmate interest to proceed with a planned event program. Establish a maximum number of inmates and guests that can be accommodated.
3. **Inmate Planning/Participation**: Establish an Inmate Committee to work with the Special Event Programs Committee to plan and implement each program or series of programs. Selection procedures, number, and duties of committee members will be determined by each facility. (Members will be permitted to attend events which they are involved in planning but will be required to pay for meal expenses.)
4. **Time Frame**: Develop specific plans, ideally 2 1/2 to 3 months before the scheduled event, especially if food is to be served.
5. **Food Arrangements/Selection**: Establish detailed procedures to be followed consistent with subsection III-E (below).

E. Food Guidelines

1. The Chairperson of the Special Event Programs Committee ensures food arrangements are coordinated by appropriate Business Office and Food Service personnel.
2. Food for a special event program must be prepared in the facility from a standardized Statewide Special Events Menu which takes into account ethnic and religious diversity.
 - a. The Inmate Committee will be allowed to select food items from the standard menu.

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- b. The facility Food Service Supervisor, with input from the Office of Nutritional Services, will price out each menu by item. The total cost will then be computed per person.
 3. At least five weeks before the event date, the facility Food Service Supervisor must be provided with a total number of inmates, family members, and community guests expected to be served food.
 4. At least four weeks before the event date, the facility Food Service Supervisor shall provide the facility Steward or Office of Nutritional Services with a list of the food required and the number of meals to be served. At that time, the Steward's Office can verify the accounts payable for food. The facility Food Service Supervisor will prepare a "Requisition for Purchase" form. Copies of the current form are available through the Office of Nutritional Services.
 5. The monthly food report must include the number of additional meals served at the special event. A separate accounting of these costs shall be maintained as a basis for a future request to have these funds returned to facility appropriations.
 6. The expense of meals for inmates, family, and/or community guests is computed as follows:
 - a. The facility Food Service Supervisor determines the cost per meal.
 - b. The cost for the inmate standard meal of the day is subtracted from the cost of the special event meal, if the event replaces a meal. This will be the cost to the inmate.
 - c. Inmates wishing to purchase special event meals for themselves, adults, and/or child guests will have a single opportunity during a designated Commissary buy cycle at least 45 days prior to the special event. These meals will be sold as a special purchase through the Commissary and a computerized listing of the number of adult and child meals purchased by each inmate will be generated at the end of the commissary buy cycle. Refer to the sample Commissary Buy Sheet and Special Purchase Report in Attachment B.
 - d. The charge for inmates' guests will be the actual cost for the meal.
- Example: Cost of special event meal: \$1.95
- Cost of standard meal: \$1.00
- Cost to inmate:
- If event replaces a meal \$.95
- If event does not replace a meal \$1.95
- Cost to inmate's guest: \$1.95

NOTE: A nominal charge of \$.50 will be assessed for each child under 6 years old. The charge for an inmate's guests, age six and over, will be the actual cost for the meal.

- e. Community guests' total meal and other miscellaneous expense costs will be divided by the number of inmates and surcharged to the cost per inmate, from a donation from an Inmate Organization, or from the Inmate Benefit Fund. Refer to Directive #4760 for details on Inmate Organization accounts.
 7. If an individual inmate is unable to attend a special event due to disciplinary action, or if guests of inmates are unable to attend, the cost for purchased meals will not be refunded, but will be deposited to the Inmate Occupational Therapy Account. Please refer to Directive #2771, "Inmate Occupational Therapy Fund."
 8. If an individual inmate or his or her guests are unable to attend an event because of a cancellation of the event or other facility conditions over which they had no control, the cost of purchased meals will be refunded.
- F. Outside Assistance
1. Volunteer groups may request approval to participate or assist in an event program by contacting the facility Office of Volunteer Services.
 2. Inmates, family and friends of inmates, and facility staff are not permitted to solicit external groups for any form of donation to an event program, but may express their needs to the Volunteer Services Office, which may seek outside assistance with the facility Superintendent's foreknowledge. Donated food will not be accepted (Refer to Directive #4752, "Receipt of Donated Material").
 3. For information regarding outside assistance and donations for Religious Events, please refer to the annual Religious Holy Day Calendar, published through the Division of Ministerial, Family and Volunteer Services.
- G. Final Program Plans: Each event program plan should include:
1. Date/time frames;
 2. Purpose/definition;
 3. Location within the facility (alternate indoor locations should be considered in the event of inclement weather);
 4. Anticipated attendance (family, inmates with family attending, inmates without family attending, facility staff, etc.);
 5. Special program (entertainment, speakers, music);
 6. Estimated costs (food, supplies, decorations, etc.);
 7. Committee assignments for further planning, implementation, clean-up, etc.; and
 8. Preparation of Form #3089, in the case of approved Inmate Organizations only.
- H. Final Program Package: At a time specified by the facility, a written Program Package detailing all aspects of the event will be issued to all relevant areas. Names of inmates' guests must be on their respective inmate's regular contact visitor list on the day of the event. First-time visitors will not be allowed to attend.

LOCAL FACILITY POLICY AND PROCEDURES

The following information must be included in the policy and procedures which are given to inmates who wish to attend special events with their family:

1. It will be the responsibility of each inmate to determine whether or not he or she is eligible to attend a special event. Any guest meals purchased by inmates for a special event for which they are not eligible will not be refunded under any circumstances.
 - A. Family Day Picnics: Inmates are eligible to attend two Family Day Picnics each year.
 - B. Religious Holy Day Observances: An inmate who wishes to attend a Religious Holy Day Observance with guests must be a member of the particular faith and must be authorized by the Chaplain.
 - C. Special Awards Program: Inmates wishing to attend this type of program with guests must be authorized to do so by the staff person supervising the program.
2. Every inmate must have access to a complete listing of all family and non-family special events at the beginning of each calendar year. The calendar must also contain the dates when inmates must pay for themselves and their guests at Commissary prior to each event. Notices about each event must also be posted throughout the facility. Inmates must clearly be informed that they have only one opportunity to sign up for special events with guests and to purchase meal authorizations for themselves and for adult and child guests. This single opportunity will be during the designated Commissary buy cycle, which will be a minimum of 45 days prior to the special event. Inmates who have lost Commissary privileges but have not lost the privilege of attending special events, may submit a disbursement to purchase special event tickets during the regular Commissary cycle in which they would have otherwise had a Commissary buy.
3. For some Holy Day Observances and/or special awards programs, there may be no cost for the inmate or family to attend. For these events, the inmate must sign up with the staff person supervising the event.
4. Procedures for inviting guests to special events:
 - A. Visitors will not be allowed at special events if they have not visited the inmate at least twice in a NYS DOCCS facility during their current incarceration. An exception to the two-visit requirement may be authorized by the Superintendent under the following circumstances:
 - (i) An exception may be made for an inmate's legal child, under 18 years of age, who has not previously visited, provided that the child is accompanied by an adult visitor who has met the previous visiting requirement. If the adult visitor has "legal custody" of the inmate's legal child, it is not necessary for them to be listed as a "family member" for approval, provided the adult visitor has visited the inmate at least twice prior to the event.
 - (ii) An exception may be made for a verified family member when extraordinary circumstances have prevented the family member from visiting an inmate at least twice in a NYS DOCCS facility during the current incarceration.
 - B. Inmates must indicate on the Commissary Buy Sheet how many adult and child guest meals they wish to purchase. Under no circumstances will more guests be allowed to attend than the number of guest meals purchased.

Attachment A Continued

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- C. There will be a nominal fee of \$.50 charged for children under 6 years old. Adult guest meal rates will be charged for all older children.
- D. It will be the responsibility of all inmates to inform their guests as to the number of guest meals purchased for adults and children. Inmates are encouraged to retain their yellow copy of their Commissary buy receipt as documentation for how many guest meals they have paid.

Attachment B

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TEST CORR FACILITY
Commissary Buy Sheet

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Item	Qty	Item Description	Cost	Price
C 4050		PETROLEUM JELLY	0.72	
C 4054		ALKA SELTZER	0.16	
C 4057		HAIR ROLLERS MED	0.97	
C 4058		HAIR ROLLERS LARGE	0.97	
C 4060		COTTON BALLS	0.72	
C 4062		COTON SWABS	1.04	
C 4064		TWEEZERS	0.50	
C 4066		NAIL POLISH REMOVER	0.69	
C 4068		NAIL CLIPPER	0.21	
C 4346		NIVEA LOTION	2.57	

72 MISCELLANEOUS

C 4300		SEWING KIT	0.83	
C 4302		ALUMINUM FOIL	1.40	
C 4304		CAN OPENER	0.54	
C 4306		CUTLERY SET	0.13	
C 4308		CLOTHES HANGER	0.13	
C 4310		WRITING TABLET 8 X 10	0.48	
C 4312		LEGAL TABLET 8 X 14	0.55	
C 4314		PLASTIC PLATE	1.98	
C 4316		PENCIL	0.06	
C 4318		BLACK PEN	0.09	
C 4320		PINCOLE CARDS	0.44	
C 4322		POKER CARDS	0.95	
C 4324		ASH TRAY	0.44	
C 4326		STICK-UP	0.89	
C 4328		60 WATT BULB	2.17	
C 4329		40 WATT BULB	2.17	
C 4332		COMBAT ROACH DISKS	3.10	
C 4334		COMBINATION LOCK	4.19	

Item	Qty	Item Description	Cost	Price
C 4336		CEREAL BOWL W/LID	0.36	
C 4338		MIRROR LIMIT ONE	2.95	
C 4340		9 VOLT BATTERY	1.98	
C 4342		AA BATTERY 4PK	2.27	
C 4344		INSULATED CUP	1.00	

74 HAIR CARE PRODUCTS



C 4500		SHOWER CAP	0.37	
C 4502		INSTANT MOISTURIZER CURL	2.29	
C 4504		FLEX SHAMPOO	2.10	
C 4506		FLEX CONDITIONER	2.10	
C 4508		IVORY SHAMPOO	1.96	
C 4510		IVORY CONDITIONER	2.52	
C 4512		OIL SHEEN SPRAY	1.64	
C 4514		DEP STYLING GEL	2.78	
C 4516		BERGAMONT HAIR GREASE	1.01	

78 SODA RETURNS

Number of Cans Returning _____

98 SPEC EVENT #1 MEAL

A 0001		SPEC EVENT #1 MEAL INMATE	0.95	
A 0002		SPEC EVENT #1 MEAL ADULT	1.95	
A 0003		SPEC EVENT #1 MEAL CHILD	0.50	

 <p>NEW YORK STATE</p>	<p>Corrections and Community Supervision</p> <p>DIRECTIVE</p>	<p>TITLE</p> <p>Religious Programs and Practices</p>		<p>NO</p> <p>4202</p> <p>DATE</p> <p>5/11/2023</p>
<p>SUPERSEDES</p> <p>DIR # 4202 Dtd. 10/19/15</p>		<p>DISTRIBUTION</p> <p>A B</p>	<p>PAGES</p> <p>PAGE 1 OF 14</p>	<p>DATE LAST REVISED</p>
<p>REFERENCES (Include but are not limited to)</p> <p>See Section II</p>		<p>APPROVING AUTHORITY</p> 		

- I. **SCOPE:** This directive concerns religious programs and practices within facilities of the New York State Department of Corrections and Community Supervision (DOCCS) and covers the religious rights and obligations of incarcerated individuals and Chaplains within these facilities.
- II. **REFERENCES:**
- 42 U.S.C § 2000
 - ACA Expected Practices:
 - 5-ACI-5C-07, 5-ACI-7F-01, 5-ACI-7F-03, 5-ACI-7F-05, 5-ACI-7F-06, 5-ACI-7F-07, 5-ACI-7F-08
 - 2-CO-5E-01, 2-CO-5E-02
 - Directives #4022, #4200, #4572, #4911, #4913, #4914, #4750, #4752, #4930, #4933
 - Annual Religious Calendar
- III. **BACKGROUND:** The Division of Ministerial, Family & Volunteer Services (MFVS), which falls under the jurisdiction of the Deputy Commissioner for Program Services, is responsible for ensuring that all religious programs and practices are carried out in accordance with the established tenets and practices of the faiths, the United States Constitution, as well as the policies and procedures of DOCCS. For religions not represented by DOCCS Chaplains, the Director of MFVS will seek advice on matters of religious doctrine, practice, and tradition from recognized religious authorities in the outside community. Due to the large number of unfamiliar faith groups in the community, any incarcerated individual who wishes to practice one of these religions/faiths will be required to make an official request by using Form #4202E, "Request for New Religion." The form must be completed in its entirety and submitted to the Coordinating Chaplain. The Chaplain will keep a copy on file and forward the original to the Director of MFVS. The Director's determination will be returned to the Coordinating Chaplain with a copy to the Deputy Superintendent for Program Services (DSP).
- The Director reports to the Assistant Commissioner for Program Services and is responsible for its day-to-day activities and the involvement of facility Chaplains and their approved programs. The Coordinating Chaplain will be responsible for monitoring these activities for compliance. Facility Chaplains are responsible for carrying out all aspects of the religious programs of their respective faiths and for ensuring that the approved accommodations for each faith group are afforded to the adherents of other identified groups. This responsibility will include the supervision of religious volunteers.

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Directive #4200, "Functions of the Division of Ministerial, Family & Volunteer Services," sets forth the mission and internal organization of the Division. DOCCS' Religious Calendar, in conjunction with this directive, Directive #4911, "Packages & Articles Sent or Brought to Facilities," Directive #4913, "Incarcerated Individual Property," and Directive #4914, "Incarcerated Individual Grooming Standards," sets forth DOCCS standards that must be adhered to when making religious accommodations for all incarcerated individual faith groups.

- IV. **POLICY:** In recognition of the First Amendment right of "religious liberty" and in pursuit of the objective of assisting incarcerated individuals to live as law abiding citizens, it is the intent of DOCCS to extend to incarcerated individuals as much spiritual assistance as possible, as well as to provide as many opportunities as feasible for the practice of their chosen faiths, consistent with the safe and secure operations of the DOCCS correctional facilities. This includes provisions for religious volunteers who must be fully registered (see Directive #4750, "Volunteer Services Program") to participate in authorized facility religious programs.

In situations where an incarcerated individual's faith may not be represented by a Chaplain at their facility, the incarcerated individual may contact and refer an outside clergy person to contact the Coordinating Chaplain for discussion. If appropriate, they may apply to become a religious volunteer. If a Chaplain or an outside religious volunteer is not available to serve the spiritual needs of a particular faith group, the facility Superintendent, in consultation with the Director of MFVS, may authorize a faith group member to facilitate a religious education class or congregate worship service with staff monitoring (see "Protocol: Incarcerated Facilitators," Attachment A). If an incarcerated individual wishes to follow an unfamiliar or new religion they must complete Form #4202E, "Request for New Religion."

It should be clearly understood that DOCCS takes no position "acknowledging" any particular religion within its incarcerated population. DOCCS merely attempts to identify particular faiths within the population in an effort to accommodate the legitimate spiritual needs of its incarcerated individuals as reasonably as possible in a manner which is commensurate with its legitimate correctional interests and the safety and security of its respective facilities.

DOCCS employees, including Chaplains and volunteers, in addition to incarcerated facilitators, shall refrain from disparaging in any manner whatsoever either the doctrines, beliefs, practices, or teachings of any other religious faith or any incarcerated individual or group of incarcerated individuals who are adherents of any other religious faith or sect. Under no circumstances will proselytizing be permitted on the part of staff, volunteers, or incarcerated individuals.

In addition to the Religious Calendar, Ministerial Program Coordinators (MPCs) and facility Chaplains should be consulted with regard to the tenets, practices, holy day observances, etc. of their respective faiths. The MPC, in consultation with the Director of MFVS or designee, will provide all necessary information where a particular faith is not represented by an employee Chaplain.

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V. RESPONSIBILITIES OF MINISTERIAL PROGRAM COORDINATOR (MPC): Ministerial Program Coordinators report to the Assistant Director of Ministerial Services. The responsibilities include but are not limited to:

- Serve as a liaison between Central Office Ministerial Services and the field
- Serve as the contact person for facilities with regard to all faith group inquiries
- Assist with facilitation of HUB Chaplains trainings and meetings
- Assist facility Chaplains to increase volunteer recruitment for all faith groups, but particularly for the emerging faith groups

VI. RESPONSIBILITIES OF THE FACILITY COORDINATING CHAPLAIN: Each facility should have a Coordinating Chaplain who will serve as the principal adviser to the Superintendent on religious programs and practices. In addition to the tasks performed by Facility Chaplains, in collaboration with all other Chaplains assigned to the facility, the Coordinating Chaplain will also oversee and monitor the religious programs that are offered at the facility. They will be responsible for informing the DSP of religious program progress as well as collecting Form #3304, "Chaplain's Monthly Report," from all Chaplains and submitting them along with Form MFVS-MCS, "Monthly Chaplain's Summary," on a monthly basis. The reports should be forwarded to the MPC via Outlook e-mail, as attachments, with a copy to the Division of Ministerial, Family & Volunteer Services (DOCCS.sm.MFVS), no later than the Monday of the last full week of each month.

The Coordinating Chaplain will coordinate the various religious functions and the use of designated religious space, in conjunction with the overall functions of the institution. They will act as the liaison between the facility administration and the Chaplains assigned to the facility to ensure that policy and policy changes are shared; Chaplain's meetings should be held at least once a month, in person or via telecommunication. Coordinating Chaplains are expected to attend Central Office trainings as required. In conjunction with the facility Chaplains, the Coordinating Chaplain will also be responsible for enhancing the facility religious activities through the presence of community volunteers.

The Coordinating Chaplain will not have direct supervision of other Chaplains assigned to the facility; however, they will be required to know other Chaplain's work schedules and religious schedules to coordinate the religious area more efficiently. This includes assisting with completing religious event packages for groups that are overseen by a Chaplain that is assigned to provide coverage to multiple facilities. The responsibilities of the Coordinating Chaplain may be divided among one or more Chaplains.

VII. RELIGIOUS WORSHIP SERVICES AND PROGRAMS

- A. Chaplain's Leadership Role:** Each facility Chaplain is responsible to personally lead the primary congregational worship and prayer services of their particular faith on a regular basis at their assigned facility(ies). Although the Chaplain is responsible for leading worship services for their faith group, a volunteer may conduct the religious educational class/group. In these instances, the material that is presented by the volunteer must be submitted to the Chaplain and approved in advance. In addition, each Chaplain shall share responsibility for assisting faith groups not represented by a facility Chaplain in the exercise of their faith's practices. Chaplains shall not defer their leadership role to any person from outside the facility except on rare or special occasions, and only with the expressed consent of the facility Superintendent.

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In accordance with policy, incarcerated individuals may facilitate but shall not provide any leadership role for the worshipping incarcerated community since this is properly the function of the facility Chaplains. Individuals who are themselves legitimately ordained clergy are not permitted to practice their profession while incarcerated.

- B. Chaplain Schedule and Coverage: Chaplain work schedules should be set according to facility need and capacity covering weekends and evenings to the extent possible. All chaplains are required to make weekly rounds to the extent possible, in general population and satellite areas, e.g., Special Housing Units (SHU), Residential Rehabilitation Units (RRU), Regional Medical Units (RMU), Residential Mental Health Unit (RMHU), Infirmary, Clinic, Housing Units (H.U.), etc. All chaplains are required to sign the logbooks.
- C. Delivery of Religious Programming
1. To the extent possible and consistent with the safety and security of the facility, registered adherents may submit a request to the Superintendent:
 - a. To observe their congregational worship services when led by employee Chaplains or outside religious volunteers, approved facilitators or
 - b. To attend religious classes facilitated by a Chaplain, an approved volunteer, or an approved facilitator.
 - (1) Facilitation by a facilitator will only be considered under the following conditions:
 - (a) The religious faith must have tenets that can be expressed, taught, or practiced in a group setting by a facilitator. No employee Chaplain or outside religious volunteer of this particular faith is available to serve in a leadership capacity.
 - (b) **The incarcerated facilitator must be specifically approved by the Superintendent after consultation with the Coordinating Chaplain and the Director of MFVS.** "Protocol; Incarcerated Facilitators," Attachment A, must also be completed with a copy placed in the correspondence section of the incarcerated individual's Guidance folder and with the Coordinating Chaplain.
 - (c) Due to the unique role that incarcerated individual facilitators perform, they should be reviewed on an annual basis and, for security reasons, they should serve terms not to exceed 36 months (see Attachment A for details).
 - (2) Congregational worship by each approved faith group shall be determined in line with the theological tenets of that faith. The facility will make the determination of the Congregational worship of each faith in consultation with the Chaplain or Coordinating Chaplain. If necessary, the MPC or Director of MFVS or designee shall be consulted.
 - (3) If the religious services are facilitated by a volunteer or approved facilitator, an outline of the discussion/service must be submitted to the designated Chaplain advisor for pre-approval.

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- (4) The Superintendent shall make a determination on each request to form a study group or congregation within 14 days of the request. Factors to be considered include, but are not limited to, the total number of incarcerated individuals making the request, availability of space, and staffing. If approved, the number of religious groups will be determined in the following manner:
- Requests from five or less will be approved to meet once a month.
 - Requests from six – ten will be approved to meet twice a month.
 - Requests from 11 – 20 will be approved to meet three times per month.
 - Requests from more than 20 will be approved to meet weekly.
 - If a group requests more than the allotted number of meetings, the Superintendent has the discretion to approve such requests if the accommodation can be made without incurring any additional costs/resources.
- (5) Incarcerated individual facilitated meetings and incarcerated individual facilitated congregate worship will be conducted only with appropriate oversight by staff. This may include electronic recording (audio or videotaping) of the meeting or congregate worship for review by the Coordinating Chaplain or other person designated by the Superintendent. Questions regarding the appropriateness of incarcerated individual facilitated congregate worship should be addressed to the MPC or to the Director of MFVS or designee.
2. Ordinarily an incarcerated individual may attend only the religious programs of their designated religion as noted in facility records; however, it is acceptable for those who desire to learn more about the religious practices of another faith to request permission to attend up to three religious services per year from the Chaplain of that faith group. In case there is no Chaplain of that faith group, the request should be made to the Coordinating Chaplain (this does not include those interested in the Native American faith unless the incarcerated individual has met all conditions of the verification process). If attendance can be accommodated, the Chaplain will advise the DSP that the incarcerated individual will be placed on a call-out.
3. Participation by an incarcerated individual in any religious celebration, service, or study group is voluntary. Therefore, it is the responsibility of the incarcerated individual to request to participate in all religious activities of interest. Once they have been placed on the call-out, it is their responsibility to attend. Completed call-outs and sign in sheets should be kept on file by the Chaplain. If an incarcerated individual does not regularly attend the program the Chaplain should meet with them to determine their interest in continued participation. If there is no further interest then a notation should be made and the incarcerated individual's name should be removed from the call-out.
4. The Superintendent or designee, in consultation with the assigned Chaplain for the affected faith group and the Director of MFVS or designee, shall resolve any conflicts pertaining to the scheduling and conduct of worship services.

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VIII. RELIGIOUS CELEBRATIONS OR OBSERVANCES OF RELIGIOUS HOLY DAYS: The Division of Ministerial, Family and Volunteer Services will compile a list of the approved dates of observance/celebrations, protocols, and accommodations for each identified faith group in the form of the annual Religious Calendar. The Division will also provide guidance and direction regarding the sacramental or ritual needs of each group.

- A. Calendar: The Deputy Commissioner for Program Services or designee will issue a Religious Holy Day Calendar on an annual basis. This Calendar will list by faith group, the **one** designated family event and the High Holy days or days of observance. It will also note if special accommodations, such as Off Work and Programs (OWP), Family Events (FE), and Menu Considerations (MC), are required. These may involve work prohibition or restrictions, special ceremonies, additional chapel time, etc.

In addition to the yearly calendar of religious days of observance, specific faith group instructions may be issued preceding a specific holy day or day of observance when needed. These holidays should be noted on a facility events calendar so that all groups are afforded the designated accommodations. There should be no deviation from these instructions without Central Office approval.

- B. Schedules and Arrangements: Chaplains shall notify each religious community of upcoming celebrations along with a deadline to sign up to participate. This should be documented in writing and be included in the packet. The event packet must be submitted to the DSP **no less than 45 days prior to the event** (see Directive #4022, "Special Events Program," for policy regarding special/family event program administration). Incarcerated individuals are required to provide a separate written request to participate in each religious celebration or observance that they are interested in. If an incarcerated individual transfers into a facility after the deadline has passed and requests to participate in the observance, the request should be approved. It is the responsibility of the designated Chaplain to schedule the above activities and to document requests for attendance. Where a particular faith is not represented by a facility Chaplain, these responsibilities rest with the Coordinating Chaplain or assigned Chaplain.

IX. CHANGE OF RELIGIOUS DESIGNATION: After reception/classification, an incarcerated individual may request an initial change of their religious affiliation, as recorded in Departmental records, by completing Form #4202C, "Change of Religious Designation Form," and presenting it to the facility Coordinating Chaplain. The Coordinating Chaplain will maintain a log of such requests and will ensure that the affected Chaplains are made aware of the change. The Chaplain of the incarcerated individual's former religion, if any, and the Chaplain of the incarcerated individual's newly designated religion, if any, shall both sign Form #4202C. In the absence of a Chaplain of a particular faith group, this will become the responsibility of the Coordinating Chaplain. Native American designations can only be approved after appropriate verification of the incarcerated individual's ancestry by the Director of MFVS in consultation with the DOCCS Native American Chaplains. Upon approval, the Coordinating Chaplain will forward the completed form to the facility Inmate Records Coordinator (IRC) for entry into the Department's central computer system, and distribute a copy to the Offender Rehabilitation Coordinator (ORC) for placement in the guidance file and a copy to the incarcerated individual.

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It is expected that the change will be accomplished within 14 business days. Subsequent changes of religion will be permitted only at 12-month intervals. There may be occasions when it is believed that there is a need to update a designation prior to the 12-month rule. These cases should be referred to the Director who will decide whether to approve an override or not. Incarcerated individuals may not change their religious designation while a Superintendent's hearing is pending, or any disciplinary confinement; however, if the confinement is 12 months or longer, the incarcerated individual may change their faith after the 12 months. Form #4202C is not to be handed out at religious services or classes.

Departmental guidelines must be adhered to when approving a religious designation. Whenever policy requires additional information in order to complete the verification process, it will be the incarcerated individual's responsibility to acquire it from outside religious authorities.

X. AREAS DESIGNATED FOR WORSHIP AND RELIGIOUS PROGRAMS

- A. The Superintendent, after consultation with the assigned Chaplain or Coordinating Chaplain, shall provide suitable areas for scheduled worship services and scheduled religious programs by the approved religious groups. Adequate time shall be allowed. All spaces in facilities that are designated as places for religious worship are to be reserved for religious uses only. Under some very extraordinary circumstances, the occasional use of such spaces for non-religious purposes may be permitted but only after consultation with the Coordinating Chaplain and Superintendent approval. Always, the spaces designated for religious purposes are to be dealt with in a respectful manner.
- B. In some facilities, because of space limitations, religious activities are now scheduled to be held at specific times in multipurpose or all-purpose spaces such as classrooms, gymnasiums, or meeting halls. Where this practice is required, respect should always be given to the sometime sacred and religious use of the space. The area should be large enough to accommodate the group and should be provided with the necessary furnishings such as chairs, tables, lecterns, cushions, altars, and rugs.
- C. Shared areas for worship and programs should not include fixed visible symbols, posters, wall hangings, mirrors, etc.
- D. If a serious question arises regarding the appropriateness of a given activity for a religious space, the Superintendent or designee should consult the Director of MFVS in order to decide how to resolve the issue.

XI. PRAYER OR DEVOTIONS

- A. Individual demonstrative prayer by incarcerated individuals will only be allowed in the privacy of their own living quarters and in designated religious areas whenever feasible, as determined by the Superintendent.
- B. Congregate or group prayer may only occur in a designated religious area during a religious service or at other times authorized by the Superintendent.

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XII. RELIGIOUS MATERIALS: The Religious Land Use and Institutionalized Persons Act (RLUIPA), Pub. L. 106-274, codified as 42 U.S.C § 2000 cc et seq., is a United States Federal Law that prohibits the imposition of burdens on the ability of prisoners to worship as they please. The general rule is that no government shall impose a substantial burden on the religious exercise of a person residing or confined to an institution unless the government demonstrates that imposition of the burden on that person is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling governmental interest. As a result, DOCCS will provide a list of approved religious items that incarcerated individuals may possess regardless of their designated faith group. These items will only be allowed for individual worship and may only be possessed as outlined in policy. In order to maintain the integrity of specific religions, the Calendar notes the only items that are allowed for congregational worship.

- A. In accordance with sound security practice and in the best interest of the safe, secure, and orderly operations of correctional facilities, **staff and volunteers may only bring religious items into a facility if they have been appropriately approved via a gate clearance by the facility administration. The gate clearance must include an accurate description of the item, what faith group it is associated with, and indicate the specific purpose of the item.**

Religious materials for a faith group can also be obtained via purchase request when deemed appropriate by the Chaplain, or the group's staff advisor, and upon approval by the DSP.

If religious materials are received via an outside donation, a facility Chaplain shall review the materials in consultation with the DSP and the MPC if necessary. Donated materials will be accepted in accordance with Directive #4752, "Receipt of Donated Material." In addition, approved items may be donated by family members as long as the facility Chaplain is notified in advance and the items are shipped to the facility directly from an approved vendor.

Whether via purchase requests, through a gate clearance, or from an outside donation, religious media, such as, but not limited to, books, DVDs, or magazines, must be submitted to the Media Review Committee for approval. If there are questions regarding the religious significance of the material a Chaplain should be consulted and if need be, the assigned MPC as well. If further clarification is required the MPC will consult with the Director of MFVS, or designee, to assist the facility with the review. The DSP has the final discretion as to whether the materials are approved for purchase or entrance into the facility.

NOTE: Please ensure that storage of media, such as DVDs, is in accordance with Directive #4930, "Tool Control."

- B. During the conduct of religious services, Chaplains and outside clergy may wear their religious vestments and/or insignia. Ceremonial candles should be affixed to candelabras and/or menorahs that are securely fastened to prevent overturning. Live candles will only be allowed when under the direct supervision staff. Incense should only be used during religious worship when the ceremony calls for it as noted in the Calendar. Electric or battery-operated menorahs will be available upon request during Chanukah for adherents in satellite areas, e.g., SHU, RMU, RMHC, RRU, etc. with the exceptions of RCTP.

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- C. An incarcerated individual's use of or request for any particular religious article shall be limited to those items that have been approved by DOCCS. If the validity of a religious item is in question, a Chaplain must be consulted prior to confiscating the item. If a Chaplain is unavailable, then the MPC or Director of MFVS should be consulted.
- D. All religious items which are specific to the incarcerated individuals' religion of record may be worn within the facility and outside congregate worship as noted within the policies and procedures of DOCCS. Furthermore, in accordance with Religious Land Use and Institutionalized Persons Act (RLUIPA) if the incarcerated individual desires to wear items not specific to their Religion of Record, the items(s) may only be worn within the confines of their dorm, cell block, or housing unit.
- E. An incarcerated individual may be permitted items subject to the specifications set forth in Section XII-A. The following (1-8 and Letter F) only apply to Native Americans:
 - 1. Medicine bag: An unsealed medicine bag, no greater than 2" x 3", with drawstring or leather cord closure. The bag must be worn under the clothing and be completely concealed. The bag may contain natural objects such as pebbles, small animal bones, and sacred herbs consisting of sweet grass, sage, cedar, sacred tobacco, calamus root, and kinnick-kinnick. In order to permit visual inspection of all contents of the bag, only small quantities of such objects may be included.
 - 2. Sacred herbs for religious practices: Sacred herbs, consisting of sweet grass, sage, cedar, sacred tobacco, calamus root, and kinnick-kinnick may be possessed on their persons or in their housing locations in such limited quantities as are necessary to accommodate religious practices as determined by the facility Chaplain.
 - 3. Sacred herbs may only be ordered, received, stored, and dispensed by the facility Chaplain at the request of the Native American group for congregate worship or any individual for individual worship. The expense shall be the responsibility of the group or individual. These items must be ordered from an approved commercial vendor.
 - 4. Personal smoking pipe: A personal smoking pipe, not to exceed six inches in length.
 - 5. Smudging ashtray: A small ashtray or shell for smudging, less than three inches in diameter.
 - 6. Although the ashtray may be possessed in living quarters, smudging can only be done in the area(s) designated by the Superintendent.
 - 7. Artifacts and symbols: Other religious artifacts or symbols such as clan or nature symbols or representations, or additional items needed for ceremonies, including items of ceremonial dress, as approved by the Director of MFVS.
 - 8. Incarcerated individuals may practice smudging and smoking (non-tobacco) subject to the following:
 - a. Incarcerated individuals may only smudge and smoke non-tobacco products within areas approved by each facility Superintendent.

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- b. Smudging will be permitted two times per day for 15 minutes each time. Smoking (non-tobacco) will be permitted two times per day for 15 minutes each time. One 15 minute period will occur before the morning meal and the second 15 minute period will occur in the evening, the exact times to be determined by the Superintendent of the facility. In keeping with DOCCS' non-smoking policy, only non-tobacco substances consisting of sweet grass, sage, cedar, kinnick-kinnick (obtained from an approved commercial vendor), or calamus root may be used for smudging.
- c. An incarcerated individual in general population is allowed to smudge a sweet grass braid of up to 22" and burn one teaspoon of non-tobacco herbs in their shell or ashtray.
An incarcerated individual in RRU/SHU/disciplinary housing/administrative segregation may only smudge a sweet grass braid of 1" and burn one tablespoon of smudging herbs.
- d. In keeping with DOCCS' non-smoking policy, only non-tobacco substances consisting of sweet grass or kinnick-kinnick (obtained from an approved commercial vendor) may be used for smoking.
- F. Only incarcerated individuals who have a documented Native American designation will be allowed to participate in approved Native American ceremonies. Native Americans may wear long hair without it being tied back in a ponytail or fastened during ceremonies and study group meetings. During scheduled ceremonies only, they may braid the ponytail. Native American ceremonies may also include dance bells, a feather fan, an approved blanket of multi-color design, and ribbon shirts (so long as significant portions of these items are not of an unauthorized solid color), other religious artifacts or symbols such as clan or nature symbols or representations, additional items needed for the ceremony including items of ceremonial dress, and other items approved by the Director of MFVS.

XIII. RELIGIOUS HEAD-COVERINGS: Incarcerated individuals are permitted to wear religious head-coverings as permissible in a correctional setting and outlined in the Religious Calendar.

- A. A facility Chaplain is to determine whether the head-covering itself is legitimate and whether it is being worn appropriately as noted and approved in the directive and Religious Calendar. This is to be verified via noted policy and/or consulting the assigned MPC. If a Chaplain of the incarcerated individual's faith belief is unavailable, the Coordinating Chaplain should be consulted. If there are additional questions surrounding the validity of the item then the assigned MPC should be consulted.

XIV. RELIGIOUS MEDALLIONS, BEADS, AND SHRINES: The items are subject to the provisions of Directive #4911, "Packages & Articles Sent or Brought to Facilities." An item may not exceed the value as noted on the list of individual worship items, and shall not be of such size or design that it can be used as a weapon, used to conceal contraband, or otherwise constitute any threat to the safety and security of the facility.

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- A. Religious Medallions: Incarcerated individuals may possess any religious medallion that has been approved in accordance with Department policy. Some examples of religious medallions include, Cross, Pentacle, Thor's Hammer, Star of David, Rosette, Crescents with stars and/or moons, and a Scapular.
1. All medallions must be worn underneath clothing and may not be visible.
 2. When worn, a medallion shall be affixed to a metal chain, except for the Rosette which shall be affixed to a fabric or leather cord.
 3. When carried, a medallion must be kept in a pocket with chain or cord attached.
- B. Rosary or Dhikr Beads: Rosary or Dhikr beads may be possessed in one's hands but not worn or displayed; Rosary beads for the purpose of prayer or Dhikr beads for the purpose of dhikring (remembering Allah's attributes). They may be carried to congregate worship in a pocket. Only the color black will be allowed into the facility.
- C. Other Beads: An incarcerated individual may request to possess any approved religious beads; colors and other specifications must be in compliance with Departmental policy.
- D. Altars
1. An incarcerated individual may request to have an altar. The altar is to be used in their living quarters, and shall not exceed 1' x 1' and 1' in height. The request shall be made by writing the facility Chaplain. Incarcerated individuals in SHU are allowed to request an altar, so long as the altar is composed of materials that are allowed in accordance with Directive #4933, "Special Housing Units."
 2. The materials from which the altar is constructed may consist of normally allowable items or materials, and shall not include any item which is contraband or which can be used as a weapon, used to conceal contraband, or otherwise constitutes a threat to the safety and security of the facility, or any food which is subject to spoilage. The altar may be openly displayed but shall not include any visible beads, and shall not be utilized in any manner which would constitute a threat to the good order, security, or environmental health of the facility. Altars may not be placed on top of cell furnishings where current local facility policy prohibit placing items on top of cell furnishings. The altar shall be located in a non-transitory area, so that it does not interfere with the entrance or exit to the cell or housing area.
- XV. **RELIGIOUS PUBLICATIONS AND TEXTS**: Incarcerated individuals may subscribe to and possess any religious publication approved through the Media Review process. All books or publications are subject to review in accordance with Directive #4572, "Media Review." Prior to denying any religious literature, the Director of MFVS should be consulted. The quantity of literature incarcerated individuals may possess in their quarters is subject to Directive #4913, "Incarcerated Individual Property."

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XVI. DIETARY CONSIDERATIONS: Incarcerated individuals may refrain from eating those food items served to the general population which are contrary to their religious beliefs. The Department offers a Kosher Diet as an alternative religious meal option for multiple religions. This menu shall be provided only after verification of the religious need for the alternate diet by the Director of MFVS and the Assistant Commissioner for Health Services. Additionally, any newly arriving incarcerated individual(s) or in-transit status incarcerated individual(s) claiming the need for the Kosher Diet or a Department approved religious holiday menu consideration for their faith group shall receive the meal if the religion of record has been approved to receive that diet/meal. If it is unknown whether the religion of record requires the Kosher Diet/holiday meal, temporary approval shall be given with an official request for the meal being forwarded to the DSP simultaneously. The request must be made using Form #4202D1, "Request for Religious Meals Acknowledgment and Consent Form." The DSP will render a decision within two weeks. Once the incarcerated individual has been approved to have the religious diet or meals, they will be responsible for adhering to all established guidelines. Anyone found not to be in compliance may be subject to removal from the religious diet/menu program. Violations will be documented and sanctions will be imposed in accordance with established policy using Form #4202D, "Religious Meal Plan Counseling." Form #4202D1 must be used to request any of the religious meals and is not valid until all required parties have signed the consent form; the form only needs to be signed once.

The only time a Kosher Diet approved individual may eat a non-Kosher Diet meal is when there is an MC designated holiday for their religion of record and that meal is not off the Kosher Diet menu. In these cases, the individual must choose either the holiday meal or the Kosher Diet, but can not have both. If an incarcerated individual is not approved for the religious meals, they should be advised as well as informed that the Department does offer a meatless alternative menu that is available daily to all incarcerated individuals. The form may be updated periodically. Any incarcerated individual who is approved for a religious menu will be expected to fully comply with the most current revisions. The Superintendent will determine the best way to notify participants of these changes.

PROTOCOL INCARCERATED FACILITATORS

PREAMBLE

Directive #4202, "Religious Programs and Practices," allows for the assignment of an incarcerated facilitator for a scheduled activity in those situations when neither a DOCCS Chaplain nor a religious volunteer is available to provide the service.

The rationale for this policy is based on the fact that it is fiscally impossible for DOCCS to provide an employee Chaplain for the numerous religious groups represented by the incarcerated population. While recognizing the constitutional rights of all claims for religious practice, DOCCS' policy has consistently been to maintain the integrity of the religion by insisting that the religious practices conform to the standards as established and practiced by religious denominations/faith groups in the outside community. Thus, an incarcerated individual should be well positioned to assimilate back into their faith community upon return to society.

In light of the above, selection of an incarcerated individual as a facilitator for religious activities must be approached with serious deliberation to preserve the integrity and identity of the religion.

ARTICLE I

The selection and assignment of an incarcerated facilitator must adhere strictly to the provisions detailed in this directive. Approval for the assignment of an incarcerated as a facilitator must be finalized by the Superintendent, in consultation with the Director of Ministerial, Family and Volunteer Services. Incarcerated facilitators who have been in the position for a considerable time may demonstrate a tendency to assume an unauthorized programmatic leadership role for the faith group they are selected to facilitate. This could potentially lead to boundary breaking by the facilitator within the faith group and create tension within the facility. Therefore, all facilitators will be selected for a term up to 36 months. Extensions beyond the maximum timeframe may be considered on a case-by-case basis by the Superintendent or designee in consultation with the Director of Ministerial, Family and Volunteer Services. Incarcerated facilitators serve at the discretion of the Facility Administration and may be removed at any time if they are found to be in violation of Departmental rules and regulations for incarcerated individual behavior, institution policy, and Departmental directives and policies.

ARTICLE II

Incarcerated facilitators shall not be allowed to assume a leadership role in conducting services. This can only be provided for by a duly ordained or appointed clergy person. The assigned incarcerated individual's role is to facilitate an activity which is properly organized and set forth by a competent and authorized clergy person. Consistent oversight and evaluation must take place to ensure that the faith group is meeting for legitimate religious reasons. Chaplains must be vigilant in monitoring the performance of the facilitator and the dynamics of the group they are working with to prevent the development of inconsistent activities and the breaking of boundaries that jeopardize the integrity and credibility of the faith communities in the facility.

ARTICLE III

Qualifications for this assignment are:

- Acceptable disciplinary record
- Suitable programming record

- High School Equivalency (HSE) Diploma
- Demonstrated ability to positively interact with staff and peers
- Knowledge of the religion's tenets and practices
- Ability to develop a lesson plan with assistance and oversight from a Chaplain and the skill set to deliver that information to the group

ARTICLE IV

Incarcerated facilitators will be evaluated every 12 months or when there is an indication that they are not in keeping with the standards of their position. If at any time the incarcerated facilitator is found to be lacking in any of the specifications detailed by this protocol, the Coordinating Chaplain will consult with the respective Chaplain, volunteer clergy, or facility staff, and submit a request for the removal of the facilitator to the Deputy Superintendent for Program Services.

Under normal circumstances, the performance of the incarcerated facilitator will be evaluated by the Coordinating Chaplain, designated Chaplain (to include Chaplains that cover multiple facilities), or volunteer clergy. The completed evaluation will be provided to the Coordinating Chaplain. Prior to assuming their positions and during the selection process, all incarcerated individuals who volunteer to be a facilitator will be informed of the fact that they will be evaluated and closely monitored in their position.

They will be evaluated based on the conditions of ARTICLE III of the Facilitator Protocol:

- Effectiveness of staying within the theological concepts/tenets of the faith group.
- Disciplinary record for the 12 month evaluation period (frequency and types of misbehavior reports) can be grounds for early evaluation and removal.
- Ability to interact positively and consistently with peers, volunteers, security, and civilian staff.
- Suitable record in other areas of programming to include attendance, participation, and appearance.

If there are any weaknesses identified that can be overcome, the facilitator will be counseled and receive additional training. If the facilitator is found to be lacking in the ability to continue in the position due to a major breach in the conditions of ARTICLE III, removal from the position must be recommended to the Deputy Superintendent for Program Services.

ARTICLE V

The incarcerated facilitator must be trained by bona fide clergy of the religion, if available. Training may be provided by Chaplains or religious volunteer clergy from recognized religious congregations and faith groups in the community. **At no time will an incarcerated facilitator be allowed to present information or material that has not been pre-approved.** In the case of disputed materials, the matter will be referred to the Director of Ministerial, Family and Volunteer Services.

Incarcerated Facilitator: _____ Date: _____
Print Name, DIN, and Sign

Chaplain/Staff Advisor: _____ Date: _____

Faith Group: _____